



**DEPARTMENT OF AGRICULTURE (USDA)**

**DEPARTMENT OF AGRICULTURE**

**Office of the Secretary**

**7 CFR Subtitle A, Chs. I-VII, IX-XII, XIV-XVIII, XXI, XXIV-XXIX**

**9 CFR Chs. I-IV**

**36 CFR Ch. II**

**41 CFR Ch. 4**

**Semiannual Regulatory Agenda, April 2000**

**AGENCY:** Office of the Secretary, USDA.

**ACTION:** Semiannual regulatory agenda.

**SUMMARY:** This agenda provides summary descriptions of significant and not significant regulations being developed in agencies of the U.S. Department of Agriculture (USDA) in conformance with Executive Order 12866 "Regulatory Planning and Review." The agenda also describes regulations affecting small entities as required by section 602 of the Regulatory Flexibility Act, Public Law 96-354.

USDA has attempted to list all regulations and regulatory reviews pending at the time of publication except for minor and routine or repetitive actions, but some may have been inadvertently missed. There is no legal significance to the omission of an

item from this listing. Also, the dates shown for the steps of each action are estimated and are not commitments to act on or by the date shown.

**FOR FURTHER INFORMATION CONTACT:** For further information on any specific entry shown in this agenda, please contact the person listed for that action. Requests for copies of the agenda should include a self-addressed, stamped envelope and be directed to: Regulatory Agenda, OBPA, Office of the Secretary, Room 118-E, Jamie Whitten Building, U.S. Department of Agriculture, Washington, DC 20250, (202) 720-1272.

**Dated:** February 28, 2000.

**Jacquelyn Y. Chandler,**  
*Chief, Legislative, and Regulatory Staff.*

**Agricultural Marketing Service—Prerule Stage**

Sequence Number	Title	Regulation Identification Number
1	Supervisory Follow-Up Inspections for Fresh Fruit and Vegetable Inspection and Certification Services .....	0581-AB68
2	Amend Regulations for Tobacco Inspection .....	0581-AB75
3	Meat Grading Regulations for Imported Livestock .....	0581-AB81
4	Grade Standards and Classification for American Pima Cotton .....	0581-AB82

**Agricultural Marketing Service—Proposed Rule Stage**

Sequence Number	Title	Regulation Identification Number
5	National Organic Program .....	0581-AA40
6	National Laboratory Accreditation Program .....	0581-AB42
7	Processed Fruits and Vegetables: Qualified Through Verification (QTV) .....	0581-AB58
8	General Specifications for Dairy Plants Approved for USDA Inspection and Grading .....	0581-AB59
9	Blueberry Research, Promotion, and Information Order .....	0581-AB61
10	Livestock Mandatory Reporting Act of 1999 .....	0581-AB64
11	Cotton Classification Services to Growers, User Fees for 2000 Crop .....	0581-AB72
12	Perishable Agricultural Commodities Act: Increase in License and Complaint Fees .....	0581-AB76
13	Federal Seed Testing and Certification Services, Increase in Fees .....	0581-AB80
14	Honey Research and Promotion Program .....	0581-AB84
15	Changes in Fee for Voluntary Federal Fruits and Vegetables, Processed .....	0581-AB85

**Agricultural Marketing Service—Final Rule Stage**

Sequence Number	Title	Regulation Identification Number
16	Voluntary Shell Egg Regulations; Repackaging of Shell Eggs Under USDA's Grading Program .....	0581-AB56
17	Refrigeration Requirements for Shell Eggs .....	0581-AB60
18	Olive Oil Research, Promotion, and Information Order .....	0581-AB62
19	Fees for Destination Market Inspection of Fresh Fruits and Vegetables and Other Products: Fee Increase .....	0581-AB63
20	Program to Assess Organic Certifying Agencies .....	0581-AB70
21	Regulations Governing the Inspection of Eggs .....	0581-AB74
22	Blueberry Research and Promotion Order .....	0581-AB78
23	Changes in Fees for Voluntary Federal Meat Grading and Certification Services .....	0581-AB83

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## Agricultural Marketing Service—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
24	Changes in Fees for Federal Grading and Certification of Livestock for Chicago Mercantile Exchange Futures Deliveries .....	0581-AB66
25	The Use of High Volume Instrument (HVI) Color Grade as the Official USDA Color Grade for American Upland Cotton .....	0581-AB67
26	Regulations Governing the Certification of Sanitary Design and Fabrication of Equipment Used in the Slaughter, Processing, and Packaging of Livestock and Poultry Products .....	0581-AB69
27	Revision of Plant Variety Protection Office Fees .....	0581-AB71
28	Perishable Agricultural Commodities Act: Recognizing Limited Liability Companies .....	0581-AB77

## Agricultural Marketing Service—Completed Actions

Sequence Number	Title	Regulation Identification Number
29	Federal Seed Act; Amendments .....	0581-AB55
30	Tobacco Inspection: Permissive Inspection .....	0581-AB65
31	Voluntary Egg, Poultry, and Rabbit Grading, Increase in Fees .....	0581-AB73

## Agricultural Research Service—Completed Actions

Sequence Number	Title	Regulation Identification Number
32	National Agricultural Library Fees for Loans and Copying .....	0518-AA01

## Farm Service Agency—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
33	Small Farmer Outreach Training and Technical Assistance Program .....	0560-AE17
34	Part 1946 Mediation; Subpart A—Agricultural Loan Mediation Program .....	0560-AE26
35	Selection and Functions of Farm Service Agency State and County Committees .....	0560-AE33
36	Amendments to the Farmer Account Servicing Policies .....	0560-AE42
37	Amendments to the Standards for Approval of Warehouse for Commodity Credit Corporation Storage Contracts ....	0560-AE50
38	Deletion of FSA Regulations Regarding Colorado River Basin Salinity Control Program .....	0560-AE54
39	Amendment to the Cotton Warehouse Regulations Regarding the Definition of “Unnecessary Delay” .....	0560-AF13
40	Amendments to the Debt Settlement Policies and Procedures To Conform to the Debt Collection Improvement Act of 1996 .....	0560-AF22
41	Amendments to the Forage Provisions of the Noninsured Crop Disaster Assistance Program .....	0560-AF23
42	Sugar Program Information Reporting and Recordkeeping Requirements .....	0560-AF31
43	Inapplicability to FSA’s Farm Loan Programs of Redundant Instructions Regarding the Collection and Depositing of Program Payments .....	0560-AF34
44	Amendment to the Farm Reconstitution Regulations .....	0560-AF36
45	Dairy Recourse Loan Program .....	0560-AF41
46	Debt Settlement for Indian Tribal Land Acquisition Loans .....	0560-AF43
47	Noninsured Crop Disaster Assistance Program Regulations for the 1998 and Succeeding Crop Years .....	0560-AF46
48	1999-Crop Marketing Quota and Price Support Level for Burley Tobacco .....	0560-AF50
49	1999-Crop Marketing Quotas and Price Support Levels for Five Kinds of Tobacco .....	0560-AF51
50	Remove Internal Agency Provision From FSA Farm Credit Program Regulation—Liquidation of Loans Secured by Real Estate and Acquisition of Real and Chattel Property .....	0560-AF53
51	Debt Settlement of the Farm Loan Program’s Nonprogram Loans .....	0560-AF54
52	Cleaning and Reinspection of Farmers’ Stock Peanuts .....	0560-AF56
53	Regulatory Streamlining of the Farm Service Agency’s Direct Farm Loan Programs .....	0560-AF60
54	Amendments to the Regulations Governing the Peanut Poundage Quota and Price Support Programs .....	0560-AF61
55	Small Hog Operation Payment Plan .....	0560-AF70

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## Farm Service Agency—Long-Term Actions (Continued)

Sequence Number	Title	Regulation Identification Number
56	Low Documentation Loan .....	0560-AF71
57	Modification of Collateral Requirements for Emergency Loans .....	0560-AF72
58	Amendments to the Conservation Reserve Program Regulations Regarding Loan Eligibility .....	0560-AF77
59	Servicing Shared Appreciation Agreements .....	0560-AF78
60	Production Flexibility Contracts for Wheat, Feed Grains, Rice, and Upland Cotton .....	0560-AF79
61	Suspension of Collection of Recapture Amount for Borrowers with Certain Shared Appreciation Agreements .....	0560-AF80
62	2000-Crop Peanuts National Poundage Quota, National Average Loan Rates for Quota and Additional Peanuts and Minimum Export-Edible Sales Price for Additional Peanuts .....	0560-AF83
63	2000-Crop Marketing Quota and Price Support Level for Flue-Cured Tobacco .....	0560-AF84
64	2000-Crop Marketing Quota and Price Support Level for Burley Tobacco .....	0560-AF85
65	2000-Crop Marketing Quotas and Price Support Levels for Five Kinds of Tobacco .....	0560-AF86
66	Method of Calculation of Loan Deficiency Payment Rates .....	0560-AF87
67	Debt Settlement of Farm Loan Program Loans .....	0560-AF88
68	Amendment to the Farm Loan Program Regarding the Time Period for Requests for Debt Settlement .....	0560-AF89
69	Noninsured Crop Disaster Assistance Program Regulations for the 1999 and Succeeding Years .....	0560-AF90
70	Disaster Set-Aside Program .....	0560-AF91
71	Farm Storage Facility Loan Program .....	0560-AG00
72	Designation of Non-Auction Tobacco .....	0560-AG07
73	2000 Dairy Indemnity Payment Program .....	0560-AG10
74	Agricultural Disaster and Market Assistance .....	0560-AG14
75	Clarification of Cash Flow Margin Requirements For Farm Service Agency Guaranteed Loans .....	0560-AG15
76	Ethanol and Biodiesel Grain Program .....	0560-AG16

## Farm Service Agency—Completed Actions

Sequence Number	Title	Regulation Identification Number
77	Program Ineligibility for Noncompliance With Boll Weevil Eradication Program .....	0560-AD57
78	Sugar and Crystalline Fructose Information and Recordkeeping Requirements .....	0560-AD88
79	Implementation Procedures for Highly Erodible Land and Wetlands Conservation Provisions of the Food Security Act .....	0560-AE38
80	Amendment to the Conservation Reserve Program Regarding Early Contract Terminations .....	0560-AE56
81	Suspension of the Emergency Livestock Assistance Regulations for Crop Years 1996 to 2002 .....	0560-AE86
82	Direct Line of Credit Program .....	0560-AE90
83	Revision of Regulations Pertaining to Indian Tribes and Tribal Corporations .....	0560-AE91
84	Amendments To Update the Tobacco Program Regulations .....	0560-AF05
85	Amendments To Update the Peanut Program Regulations .....	0560-AF06
86	Amendments To Update Farm Program Payment Limitation and Disaster Regulations Under the National Performance Review .....	0560-AF10
87	Refund of Marketing Quota Penalties and Tobacco Auction Warehouse Records and Reports .....	0560-AF26
88	Refund of Marketing Quota Penalties and Other Peanut Program Provisions .....	0560-AF27
89	Contracting Additional Peanuts by Type and Segregation .....	0560-AF28
90	American Indian Livestock Feed Program .....	0560-AF29
91	Upland Cotton User Marketing Certificate Program; Revision of Regulations .....	0560-AF32
92	Cooperative Marketing Associations .....	0560-AF33
93	Change in Warehouse Receipt Requirements for CCC's Cotton Loan and Loan Deficiency Payment Programs .....	0560-AF39
94	Chemical Testing of Farmers' Stock Peanuts for Aflatoxin Content .....	0560-AF40
95	Amendments to the Regulations Regarding Suspension and Debarment From Commodity Credit Corporation Programs .....	0560-AF47
96	1999-Crop Peanuts National Poundage Quota, National Average Loan Rates and Minimum Export-Edible Sales Price for Additional Peanuts .....	0560-AF48
97	1999-Crop Marketing Quota and Price Support Level for Flue-Cured Tobacco .....	0560-AF49
98	Disaster Reserve Flood Compensation Program .....	0560-AF57
99	Disaster Set-Aside Program Second Installment .....	0560-AF59
100	Accelerated Production Flexibility Contract Payments .....	0560-AF65
101	Nonrecourse Marketing Assistance Loans for Crambe .....	0560-AF68
102	Streamlining of Regulations for Real Estate Appraisals and Chattel Appraisals .....	0560-AF69

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## Farm Service Agency—Completed Actions (Continued)

Sequence Number	Title	Regulation Identification Number
103	Marketing Assistance Loan Provisions for the 1998 and Subsequent Crop Years .....	0560-AF76
104	1999 Livestock Indemnity Program .....	0560-AF82
105	1999 Crop and Market Loss Assistance .....	0560-AG13

## Animal and Plant Health Inspection Service—Prerule Stage

Sequence Number	Title	Regulation Identification Number
106	Noxious Weeds; Weed Categories and Priorities .....	0579-AB07

## Animal and Plant Health Inspection Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
107	Animal Welfare—Standards for Marine Mammals .....	0579-AA59
108	Plant Pest Regulations; Update of Current Provisions .....	0579-AA80
109	Karnal Bunt .....	0579-AA83
110	Interstate Movement of Sheep and Goats From States That Do Not Quarantine Scrapie-Infected and Source Flocks .....	0579-AA90
111	Importation of Fuji Apples From the Republic of Korea .....	0579-AA93
112	Irradiation Phytosanitary Treatment of Imported Fresh Fruits and Vegetables .....	0579-AA97
113	Importation of Solid Wood Packing Material .....	0579-AA99
114	Horse Protection; Horse Industry Organizations .....	0579-AB04
115	Karnal Bunt; Regulated Areas .....	0579-AB14

## Animal and Plant Health Inspection Service—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
116	Importation of Logs, Lumber, and Other Unmanufactured Wood Articles .....	0579-AA82
117	Veterinary Services Multi-Year User Fees .....	0579-AA87
118	Importation of Grapefruit, Lemons, and Oranges From Argentina .....	0579-AA92
119	Importation of Poultry From Sinaloa and Sonora, Mexico .....	0579-AA96
120	Restrictions on the Importation of Ruminants, Meat and Meat Products From Ruminants, and Certain Other Ruminant Products .....	0579-AA98
121	Commercial Transportation of Equines to Slaughter .....	0579-AB06
122	Pseudorabies in Swine; Payment of Indemnity .....	0579-AB10
123	Importation of Gypsy Moth Host Material From Canada .....	0579-AB11

## Animal and Plant Health Inspection Service—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
124	Importation of Certain Embryos and Animal Semen .....	0579-AA63
125	Animal Welfare; Inspection, Licensing, and Procurement of Animals .....	0579-AA94
126	Requiring Treatment of Solid Wood Packing Material From China .....	0579-AB01
127	Importation of Unmanufactured Wood Articles From Mexico .....	0579-AB02
128	Establishment of Regions in the European Union for Hog Cholera, Foot-and-Mouth Disease, and Swine Vesicular Disease .....	0579-AB03
129	Noxious Weeds; Restrictions on Interstate Movement .....	0579-AB08

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**Animal and Plant Health Inspection Service—Long-Term Actions (Continued)**

Sequence Number	Title	Regulation Identification Number
130	Aquaculture; Farm-Raised Fin Fish .....	0579-AB09

**Animal and Plant Health Inspection Service—Completed Actions**

Sequence Number	Title	Regulation Identification Number
131	Importation of Pork and Pork Products From Yucatan and Sonora, Mexico .....	0579-AA91
132	Importation of Rhododendron in Growing Media .....	0579-AB00
133	User Fees—Rate Revisions for Agricultural Quarantine and Inspection Service .....	0579-AB05
134	Animal Welfare; Draft Policy on Training and Handling of Potentially Dangerous Animals .....	0579-AB12

**Cooperative State Research, Education, and Extension Service—Proposed Rule Stage**

Sequence Number	Title	Regulation Identification Number
135	Higher Education Multicultural Scholars Program; Administrative Provisions .....	0524-AA09
136	Hispanic-Serving Institutions Education Grants Program Administrative Provisions .....	0524-AA17
137	Community Food Projects Administrative Provisions .....	0524-AA19
138	Small Business Innovation Research Program Administrative Provisions .....	0524-AA20
139	Biotechnology Risk Assessment Research Grants Program Administrative Provisions .....	0524-AA21
140	National Research Initiative Competitive Grants Program Administrative Provisions .....	0524-AA22

**Cooperative State Research, Education, and Extension Service—Final Rule Stage**

Sequence Number	Title	Regulation Identification Number
141	Matching Funds Requirement for Formula Funds for Agricultural Research and Extension Activities at 1890 Land Grant Institutions and Tuskegee University .....	0524-AA24

**Cooperative State Research, Education, and Extension Service—Completed Actions**

Sequence Number	Title	Regulation Identification Number
142	Stakeholder Input to Research, Education, and Extension Formula Funds .....	0524-AA23

**Rural Housing Service—Proposed Rule Stage**

Sequence Number	Title	Regulation Identification Number
143	Civil Rights Compliance Requirements—1901-E to 1940-D .....	0575-AA83
144	Environmental Program Streamline Environmental Process .....	0575-AB98
145	Servicing Community Programs Loans and Grants .....	0575-AC12
146	Multi-Family Housing Reinvention .....	0575-AC13
147	Self-Help Technical Assistance Grants .....	0575-AC20
148	Rural Development Loan Payment and Collection Procedures .....	0575-AC22
149	Community Programs Guaranteed Loan Program .....	0575-AC23
150	Operating Assistance for Migrant Farmworker Projects .....	0575-AC24

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## Rural Housing Service—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
151	Denying Credit to Applicants Delinquent on Any Federal Debt .....	0575-AA66
152	Reengineering and Reinvention of the Direct Section 502 and 504 Single-Family Housing Program .....	0575-AB99

## Rural Housing Service—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
153	National Flood Insurance Regulations .....	0575-AC07
154	Guaranteed Rural Housing Loan Single Family .....	0575-AC18

## Federal Crop Insurance Corporation—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
155	General Administrative Regulations; High Risk Land Regulations .....	0563-AA98
156	General Administrative Regulations; Subpart D; Application for Crop Insurance .....	0563-AB00
157	Common Crop Insurance Regulations; Small Grains Crop Insurance Provisions and Wheat Winter Coverage Endorsement .....	0563-AB63
158	Common Crop Insurance Regulations; Coarse Grains Crop Insurance Provisions .....	0563-AB64
159	General Administrative Regulations; Movement of Business Among Insurance Providers .....	0563-AB71
160	General Administrative Regulations; Sanctions .....	0563-AB73
161	Common Crop Insurance Regulations; Florida Fruit Tree Crop Insurance Provisions .....	0563-AB75
162	Common Crop Insurance Regulations; Blueberry Crop Insurance Provisions .....	0563-AB76
163	General Administrative Regulations; Civil Rights Data Collection .....	0563-AB78
164	Common Crop Insurance Regulations; Millet Crop Insurance Provisions .....	0563-AB79
165	Common Crop Insurance Regulations; Nursery Crop Insurance Provisions .....	0563-AB80

## Federal Crop Insurance Corporation—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
166	General Administrative Regulations; Subpart S; Regulations for Insurance Coverage by Written Agreement .....	0563-AB07
167	General Administrative Regulations; Subpart J; Appeal Procedure Regulations .....	0563-AB17
168	General Administrative Regulations; Subpart N; Disaster Assistance Act of 1988 .....	0563-AB20
169	Federal Crop Insurance on Highly Erodible Land and Wetlands—Part 400 .....	0563-AB59
170	Federal Crop Insurance on Highly Erodible Land and Wetlands—Part 401 .....	0563-AB60
171	General Administrative Regulations; Nonstandard Underwriting Classification System .....	0563-AB66
172	General Administrative Regulations; Premium Reductions; Payments of Rebates, Dividends, and Patronage Refunds; and Payments to Insured-Owned and Record-Controlling Entities .....	0563-AB70

## Federal Crop Insurance Corporation—Completed Actions

Sequence Number	Title	Regulation Identification Number
173	General Administrative Regulations; Reinsurance Agreement—Standards for Approval .....	0563-AB72
174	Dairy Options Pilot Program—Revised Notice of Availability .....	0563-AB77

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## Grain Inspection, Packers and Stockyards Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
175	Poultry Grower Contracts .....	0580-AA51
176	Review Inspection Requirements .....	0580-AA58
177	Regulations Under Packers and Stockyards Act (Price Reporting) .....	0580-AA65
178	Swine Packer Marketing Contracts .....	0580-AA71

## Grain Inspection, Packers and Stockyards Administration—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
179	Tolerances for Dividers .....	0580-AA57
180	Regulations Issued Under Packers and Stockyards Act (Feed Weight) .....	0580-AA64

## Grain Inspection, Packers and Stockyards Administration—Completed Actions

Sequence Number	Title	Regulation Identification Number
181	Fees for Inspection and Weighing Services 2000 .....	0580-AA69
182	Fees for Rice Inspection Services 2000 .....	0580-AA70

## Food and Nutrition Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
183	Special Supplemental Food Program for Women, Infants, and Children (WIC): Miscellaneous Provisions .....	0584-AB10
184	Food Stamp Program Matching Programs and Privacy Protections .....	0584-AB51
185	Disclosure of Free and Reduced-Price Eligibility Information Under the School Nutrition and Child and Adult Care Food Programs .....	0584-AC21
186	Child and Adult Care Food Program: Improving Management and Program Integrity .....	0584-AC24
187	Determining Eligibility for Free and Reduced-Price Meals and Free Milk in Schools: Provision 2 and Provision 3 ....	0584-AC25
188	Food Stamp Program Regulatory Review: FSP Standards for Approval and Operation of Food Stamp Electronic Benefit Transfer Systems .....	0584-AC37
189	FSP: Noncitizen Eligibility and Certification Provisions of Public Law 104-193 (Previously Entitled State Flexibility and Certification Provisions) .....	0584-AC40
190	Regulatory Reform: Provisions Relating to Firms Participating in the Food Stamp Program .....	0584-AC48
191	WIC Farmers Market Nutrition Program (FMNP): Expansion Funds Allocation Formula .....	0584-AC68
192	Child Nutrition Programs: Reimbursement for Snacks in Afterschool Care Programs .....	0584-AC72
193	FSP: Civil Rights Data Collections .....	0584-AC75
194	Commodity Supplemental Food Program: Plain Language, Program Accountability, and Program Flexibility .....	0584-AC84
195	Food Stamp Program: Administrative Cost Reimbursement .....	0584-AC86
196	Special Supplemental Nutrition Program for Women, Infants, and Children (WIC): Revisions in the WIC Food Packages .....	0584-AC90

## Food and Nutrition Service—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
197	Special Supplemental Food Program for Women, Infants, and Children (WIC): Food Delivery Systems Integrity .....	0584-AA80
198	WIC: Requirements for and Evaluation of WIC Program Requests for Bids for Infant Formula Rebate Contracts .....	0584-AB52
199	Food Stamp Program: Anticipating Income and Reporting Changes .....	0584-AB57
200	Food Stamp Program: Payment of Certain Administrative Costs of State Agencies .....	0584-AB66
201	Food Stamp Program: Food Stamp Recipient Claim Establishment and Collection Standards .....	0584-AB88



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## Food and Nutrition Service—Final Rule Stage (Continued)

Sequence Number	Title	Regulation Identification Number
202	Food Stamp Program: Revisions to the Retail Food Store Definition and Program Authorization Guidance .....	0584-AB90
203	Food Stamp Program: Retailer Application Processing .....	0584-AC05
204	National School Lunch Program and School Breakfast Program: Additional Menu Planning Alternatives .....	0584-AC38
205	FSP: Personal Responsibility Provisions of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 .....	0584-AC39
206	FSP: Nondiscretionary Provisions of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 .....	0584-AC41
207	Electronic Benefit Transfer (EBT) Provisions of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 .....	0584-AC44
208	Food Stamp Program: Work Provisions of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 .....	0584-AC45
209	Special Supplemental Nutrition Program for WIC: Implementation of WIC-Related Provisions of Public Law 104-193, Personal Responsibility and Work Opportunity Reconciliation Act of 1996 .....	0584-AC51
210	Food Stamp Program: Electronic Benefits Transfer (EBT) Benefit Adjustments .....	0584-AC61
211	Food Stamp Provisions of the Balanced Budget Act of 1997 .....	0584-AC63
212	WIC: Certification Integrity .....	0584-AC76
213	Food Distribution Program: Deletion of Requirement to Evaluate State-Run Commodity Distribution and Warehousing Systems Every Three Years .....	0584-AC79
214	FDPIR: Income Deduction and Miscellaneous Provision Rule .....	0584-AC81
215	FSP: Maximum Allotments for Alaska, Hawaii, Guam, and the Virgin Islands .....	0584-AC87
216	FSP: Maximum Allotments for 48 States and DC and Income Eligibility Standards and Deductions for 48 States and DC, Alaska, Hawaii, Guam, and the Virgin Islands .....	0584-AC88

## Food and Nutrition Service—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
217	Child and Adult Care Food Program: Child Nutrition and WIC Reauthorization Act Amendments and Healthy Meals for Healthy Americans Act of 1994 .....	0584-AC20
218	Food Stamp Program Regulatory Review: Certification of Eligible Households .....	0584-AC28

## Food and Nutrition Service—Completed Actions

Sequence Number	Title	Regulation Identification Number
219	Child and Adult Care Food Program: Authority To Collect Overclaims .....	0584-AB19
220	Direct Certification in National School Lunch, School Breakfast, and Special Milk Programs .....	0584-AB35
221	Food Distribution Program on Indian Reservations: Definition of Indian Tribal Household .....	0584-AB67
222	Amendments to the Infant Meal Pattern .....	0584-AB81
223	Summer Food Service Program: Program Meal Service During the School Year .....	0584-AC06
224	Food Stamp Program: Welfare Reform Matching, Fair Hearings and Recipient Service Rule .....	0584-AC22
225	Implementation of Legislative Reforms in the Summer Food Service Program .....	0584-AC23
226	WIC: Bloodwork Requirements .....	0584-AC30
227	Part 240, Cash In Lieu of Donated Foods and Part 250, Food Distribution Regulations .....	0584-AC31
228	Food Distribution Program: Regulatory Implementation of Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Pub.L. 104-193, 110 Stat 2105) .....	0584-AC49
229	Food Distributions Programs: Commodity Acceptability Report .....	0584-AC56
230	Food Distribution Program on Indian Reservations: Disqualification Penalties for Intentional Program Violations .....	0584-AC65
231	FSP: EBT System SAS No. 70 Audit Requirements .....	0584-AC71
232	WIC: Local Agency Expenditure Reports .....	0584-AC74
233	WIC: WIC Funding Provisions of Public Law 105-336 .....	0584-AC77
234	Modification of the "Vegetable Proteins Products" Requirements for the National School Lunch Program, School Breakfast Program, Summer Food Service Program, and Child and Adult Care Food Program .....	0584-AC82
235	Waiver Authority To Implement Pilot Projects Resulting from Recommendations from "Food Distribution 2000: Transforming Food Distribution for the Next Millennium" .....	0584-AC83

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**Food and Nutrition Service—Completed Actions (Continued)**

Sequence Number	Title	Regulation Identification Number
236	NSLP: Pilot Projects, Alternatives to Free and Reduced-Price Application Requirements and Verification Procedures .....	0584-AC89

**Food Safety and Inspection Service—Prerule Stage**

Sequence Number	Title	Regulation Identification Number
237	Other Consumer Protection Activities .....	0583-AC64

**Food Safety and Inspection Service—Proposed Rule Stage**

Sequence Number	Title	Regulation Identification Number
238	Transportation, Storage, and Other Handling of Potentially Hazardous Foods .....	0583-AC05
239	Grant and Inauguration of Inspection .....	0583-AC07
240	Performance Standard for the Chilling or Other Processing of Livestock Carcasses and Ready-to-Cook Poultry .....	0583-AC21
241	Performance Standards for Ready-to-Eat Meat and Poultry Products .....	0583-AC46
242	Performance Standards for Bacon .....	0583-AC49
243	Reform of Regulations on Imported Livestock and Poultry Products .....	0583-AC56
244	Agency Organization and Terminology .....	0583-AC57
245	Egg Products Inspection Regulations .....	0583-AC58
246	Labeling—Generic Approval and Regulation Consolidation .....	0583-AC59
247	Nutrition Labeling of Ground and Chopped Meat and Poultry Products and Single-Ingredient Products .....	0583-AC60
248	Pathogen Reduction; Hazard Analysis and Critical Control Points (HACCP) Systems; Additions to E. Coli Criteria and Salmonella Performance Standards .....	0583-AC63
249	Elimination of Requirements for Total Quality Control Systems .....	0583-AC68
250	Incorporation of Food and Color Additives into 21 CFR .....	0583-AC69
251	Transfer and Development of Shell Egg Requirements .....	0583-AC70
252	Fee Increase for Egg Products Inspection—Year 2000 .....	0583-AC71
253	Food Standards; Guiding Principles and Standards Modernization .....	0583-AC72

**Food Safety and Inspection Service—Final Rule Stage**

Sequence Number	Title	Regulation Identification Number
254	Beef or Pork With Barbecue Sauce; Revision of Standards .....	0583-AC09
255	Elimination of Requirements for Partial Quality Control Programs .....	0583-AC35
256	Meat Produced by Advanced Meat/Bone Separation Machinery and Recovery Systems .....	0583-AC51

**Food Safety and Inspection Service—Long-Term Actions**

Sequence Number	Title	Regulation Identification Number
257	Retained Water in Raw Meat and Poultry Products; Poultry-Chilling Performance Standards .....	0583-AC26
258	Ante-Mortem and Post-Mortem Inspection of Livestock and Poultry .....	0583-AC43
259	Requirements for Disposition and Disposal of Inspected Raw Meat and Poultry Products .....	0583-AC44
260	Reworking of Meat and Poultry Carcasses Accidentally Contaminated During Evisceration .....	0583-AC53
261	Food Labeling; Nutrient Content Claims, Definition of the Term Healthy .....	0583-AC65

## USDA

## Food Safety and Inspection Service—Completed Actions

Sequence Number	Title	Regulation Identification Number
262	Substances Approved for Use in the Preparation of Meat and Poultry Products .....	0583-AB02
263	Nutrition Labeling of Ground Beef and Hamburger .....	0583-AB74
264	Rules of Practice .....	0583-AC34
265	Irradiation of Meat and Meat Products .....	0583-AC50
266	Labeling of Food Under the Voluntary Nutrition Labeling Program; 1996 Retail Survey Compliance Results .....	0583-AC55
267	Food Additives for Use in Meat and Poultry Products: Sodium Diacetate, Sodium Acetate, Sodium Lactate, and Potassium Lactate .....	0583-AC66
268	Fee Increase for Meat and Poultry Inspection Services .....	0583-AC67

## Foreign Agricultural Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
269	Export Sales Reporting Requirement .....	0551-AA51

## Foreign Agricultural Service—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
270	CCC Supplier Credit Guarantee Program .....	0551-AA30
271	Facility Guarantee Program .....	0551-AA35

## Foreign Agricultural Service—Completed Actions

Sequence Number	Title	Regulation Identification Number
272	Dairy Tariff-Rate Import Quoting Licensing .....	0551-AA58

## Forest Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
273	Hydropower Applications .....	0596-AA47
274	Small Tracts Act Regulations .....	0596-AA79
275	National Forest System Land and Resource Management Planning .....	0596-AB20
276	Species Surplus to Domestic Manufacturing Needs .....	0596-AB27
277	Appeal of Decisions Relating to Occupancy and Use of National Forest System Lands .....	0596-AB45
278	Sale and Disposal of National Forest System Timber; Extension of Timber Sale Contracts To Permit Urgent Removal of Other Timber .....	0596-AB48
279	National Environmental Policy Act; Revised Policy and Procedures; Categorical Exclusions .....	0596-AB54
280	Law Enforcement Support Activities .....	0596-AB61
281	Administration of the Forest Development Transportation System .....	0596-AB67
282	Noncompetitive Sale of Timber .....	0596-AB70
283	Categorical Exclusion for Certain Special Uses Permit Actions (FSH 1909.15, Chapter 30) .....	0596-AB73
284	Clarification of Exemptions From Special-Use Authorizations .....	0596-AB74
285	Sale and Disposal of National Forest System Timber; Timber Export and Substitution Restrictions .....	0596-AB75
286	Appeal of Regional Guides and National Forest Land and Resource Management Plans; Multi-Agency Decisions ..	0596-AB76
287	Protection of National Forest System Roadless Areas .....	0596-AB77

**USDA**

**Forest Service—Final Rule Stage**

Sequence Number	Title	Regulation Identification Number
288	Indian Allotments on National Forest System Lands .....	0596-AA52
289	Disposal of National Forest Timber; Cancellation of Timber Sale Contracts .....	0596-AB21
290	Collection of Reimbursable Costs for Processing Special-Use Applications and Administration of Special-Use Authorizations .....	0596-AB36
291	Preference for Visitor Service; Alaska National Forest Conservation System Units .....	0596-AB57
292	Notice, Comment, and Appeal Procedures for National Forest System Projects and Activities .....	0596-AB69
293	Small Business Timber Sale Set-Aside Recomputation Basis .....	0596-AB72
294	Administration; Cooperation With Other Federal Agencies (36 CFR Part 211, Subpart C) .....	0596-AB78

**Forest Service—Completed Actions**

Sequence Number	Title	Regulation Identification Number
295	National Forest Prohibitions .....	0596-AA75
296	State and Private Forestry Assistance Stewardship Incentive Program .....	0596-AB32
297	Administrative, Cooperative Funds Agreements .....	0596-AB63

**Office of the Secretary—Proposed Rule Stage**

Sequence Number	Title	Regulation Identification Number
298	Designation of Rural Empowerment Zones and Enterprise Communities .....	0503-AA20

**Office of the Secretary—Long-Term Actions**

Sequence Number	Title	Regulation Identification Number
299	Nondiscrimination in USDA-Conducted Programs and Activities .....	0503-AA15
300	Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments ....	0503-AA16

**Rural Business-Cooperative Service—Proposed Rule Stage**

Sequence Number	Title	Regulation Identification Number
301	Business and Industry Direct Loan Program .....	0570-AA22
302	Business and Industrial Guaranteed Loan Program—Miscellaneous Changes .....	0570-AA23
303	Affirmative Fair Housing Marketing Plan .....	0570-AA24
304	Business and Industry Guaranteed Loan Program—Financing Cooperative Stock .....	0570-AA26
305	Rural Business Enterprise Grant Program .....	0570-AA28
306	Allocation Formulas .....	0570-AA30

**Rural Business-Cooperative Service—Final Rule Stage**

Sequence Number	Title	Regulation Identification Number
307	Rural Economic Development Loan and Grant Program .....	0570-AA19

**USDA****Rural Business-Cooperative Service—Long-Term Actions**

Sequence Number	Title	Regulation Identification Number
308	Rural Venture Capital Demonstration Program .....	0570-AA25
309	Rural and Rural Area Under the Rural Community Advancement Program .....	0570-AA27

**Rural Business-Cooperative Service—Completed Actions**

Sequence Number	Title	Regulation Identification Number
310	Rural Business Opportunity Grants .....	0570-AA05

**Rural Utilities Service—Proposed Rule Stage**

Sequence Number	Title	Regulation Identification Number
311	Water and Waste Loan and Grant Servicing .....	0572-AB23
312	Telecommunications Standards and Specifications for Materials, Equipment, and Construction .....	0572-AB40
313	Telecommunications System Construction Contract and Specifications .....	0572-AB41
314	Seismic Safety .....	0572-AB47
315	Reduction in Minimum TIER Requirements .....	0572-AB51
316	Electric Engineering, Architectural Services, and Design Policies and Procedures .....	0572-AB54

**Rural Utilities Service—Final Rule Stage**

Sequence Number	Title	Regulation Identification Number
317	Special Equipment Contract (Including Installation) .....	0572-AB35
318	General and Pre-Loan Policies and Procedures Common to Insured and Guaranteed Electric Loans .....	0572-AB52
319	General Policies, Types of Loans, Loan Requirements—Telecommunications Program .....	0572-AB53

**Rural Utilities Service—Long-Term Actions**

Sequence Number	Title	Regulation Identification Number
320	Electric Standards and Specifications for Materials and Construction .....	0572-AA67
321	Loan Documents—Bank Program .....	0572-AA76
322	Use of General Funds Investments, Loan Guarantees, and Retirement of Capital Credits by Electric Borrowers .....	0572-AB01
323	RUS Approval of Sale of Capital Assets by Electric Borrowers .....	0572-AB02
324	Solid Waste Management Grants .....	0572-AB14
325	Technical Assistance and Training Grants .....	0572-AB15
326	RUS Approval of Additions and Extensions to Electric Plants .....	0572-AB38
327	Revision of RUS Telecommunications Program and RTB Loan Documents .....	0572-AB48

**Rural Utilities Service—Completed Actions**

Sequence Number	Title	Regulation Identification Number
328	Post-Loan Policies and Procedures Common to Insured and Guaranteed Electric Loans .....	0572-AA71
329	Depreciation Rates and Procedures .....	0572-AA80
330	Preservation of Records Accounting Requirements for RUS Electric Borrowers .....	0572-AA92
331	Load Forecasts .....	0572-AB05

**USDA**

Rural Utilities Service—Completed Actions (Continued)

Sequence Number	Title	Regulation Identification Number
332	Community Facility Loans—Timber-Dependent Communities .....	0572-AB11
333	General Policies, Types of Loans, Loan Requirements—Telecommunications Program .....	0572-AB49

Natural Resources Conservation Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
334	Conservation of Private Grazing Land .....	0578-AA29
335	Emergency Watershed Protection Program .....	0578-AA30

Natural Resources Conservation Service—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
336	Highly Erodible Land and Wetland Conservation .....	0578-AA17
337	Forestry Incentives Program .....	0578-AA26
338	Wetland Categorical Minimal Effects Exemptions .....	0578-AA27
339	Forestry Incentive Program .....	0578-AA28

Office of Procurement and Property Management—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
340	Agriculture Acquisition Regulation: Amendment to Part 442, Contract Administration .....	0599-AA08

Office of Procurement and Property Management—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
341	Department of Agriculture Priorities and Administrative Guideline for Donation of Excess Research Equipment .....	0599-AA06

Office of Procurement and Property Management—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
342	New Restrictions on Lobbying .....	0599-AA03
343	Agriculture Acquisition Regulation (AGAR); Contractor Employment of Migrant and Seasonal Agricultural Workers .....	0599-AA05

Office of Procurement and Property Management—Completed Actions

Sequence Number	Title	Regulation Identification Number
344	Agricultural Acquisition Regulations: Rewrite; Contracting by Negotiation .....	0599-AA07

**DEPARTMENT OF AGRICULTURE (USDA)**  
**Agricultural Marketing Service (AMS)**

Prerule Stage

**1. • SUPERVISORY FOLLOW-UP INSPECTIONS FOR FRESH FRUIT AND VEGETABLE INSPECTION AND CERTIFICATION SERVICES**
**Priority:** Substantive, Nonsignificant**Legal Authority:** 7 USC 1621 to 1627**CFR Citation:** Not Yet Determined**Legal Deadline:** None

**Abstract:** Agricultural Marketing Service, Fruit and Vegetable Programs, Fresh Products Branch, proposes to implement a system of random, unannounced supervisory follow-up inspections in its terminal market inspection program. This system would supplement existing management tools for reviewing the efficiency and effectiveness of the program.

**Timetable:**

Action	Date	FR Cite
ANPRM	04/00/00	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Robert J. Huttenlocker, Assistant Branch Chief, Fresh Products Branch, Department of Agriculture, Agricultural Marketing Service, Room 2049-South, Fruit & Vegetable Programs, 14th & Independence Avenue SW, Washington, DC 20250-0240  
 Phone: 202 720-5870  
 Fax: 202 720-5136  
 Email: robert.huttenlocker@usda.gov

**RIN:** 0581-AB68
**2. • AMEND REGULATIONS FOR TOBACCO INSPECTION**
**Priority:** Substantive, Nonsignificant**Legal Authority:** 7 USC 511b, 511m, and 511r**CFR Citation:** 7 CFR 29**Legal Deadline:** None

**Abstract:** The Department proposes to amend regulations under subpart B, Regulations; subpart C, Standards, and subpart G, Policy Statement and Regulations Governing Availability of Tobacco Inspection and Price Support Services to Flue-Cured Tobacco on Designated Markets, pursuant to the authority contained in the Tobacco Inspection Act of 1935. A new provision would be added to the

official standards for flue-cured tobacco to denote any lot of baled tobacco that has not been opened for inspection would be graded by the exterior only. To take into account the marketing of bales, a revision would be necessary in the poundage adjustment for a warehouse selling in excess of the sales schedule and for undesignated producer tobacco. Also, bale dimensions and space requirements would be established for uniform marketing display in the warehouses.

**Timetable:**

Action	Date	FR Cite
ANPRM	04/00/00	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** John P. Duncan III, Deputy Administrator, Department of Agriculture, Agricultural Marketing Service, Ag Code 0280, Tobacco Programs, Room 502 Annex Bldg., P.O. Box 96456, Washington, DC 20090-6456  
 Phone: 202 205-0567  
 Fax: 202 205-0235  
 Email: john.duncan3@usda.gov

**RIN:** 0581-AB75
**3. • MEAT GRADING REGULATIONS FOR IMPORTED LIVESTOCK**
**Priority:** Substantive, Nonsignificant**Legal Authority:** 7 USC 1621 to 1627**CFR Citation:** 7 CFR 54**Legal Deadline:** None

**Abstract:** Advance notice of proposed rulemaking requesting public comment on meat grading regulations for imported livestock. National Cattlemen's Beef Association petitioned USDA to discontinue the official grading of imported beef carcasses.

**Timetable:**

Action	Date	FR Cite
ANPRM	02/01/00	65 FR 4780
ANPRM Comment Period End	04/03/00	
NPRM	08/00/00	

**Regulatory Flexibility Analysis Required:** Yes

**Small Entities Affected:** Businesses**Government Levels Affected:** None

**Agency Contact:** Larry R. Meadows, Chief, Meat Grading and Certification

Branch, Department of Agriculture, Agricultural Marketing Service, Stop 0248, Rm. 2626-South, Livestock & Seed Program, 14th & Independence Avenue SW, Washington, DC 20250-0248

Phone: 202 720-1246

Fax: 202 690-4119

Email: larry.meadows@usda.gov

**RIN:** 0581-AB81
**4. • GRADE STANDARDS AND CLASSIFICATION FOR AMERICAN PIMA COTTON**
**Priority:** Substantive, Nonsignificant**Legal Authority:** 7 USC 51 to 65**CFR Citation:** 7 CFR 28**Legal Deadline:** None

**Abstract:** The Secretary of Agriculture provides classification and grading services to cotton producers and others in the domestic international industry. The official USDA classification for American Pima cotton includes a composite grade for color and leaf content. The American Pima industry has requested that color and leaf content be split into two separate grade determinations. Such a revision was implemented for American Upland cotton in 1993, and it resulted in a more accurate and useful description of the manufacturing value of American Upland cotton for marketing. The American Pima industry has requested a similar simplification of the Pima grade standards. If the proposal is adopted, the revision will be implemented with the beginning of the 2001 cotton crop harvest as required by the United States Cotton Standards Act.

**Timetable:**

Action	Date	FR Cite
ANPRM	04/00/00	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** A. Lee Cliburn, Cotton Marketing Specialist, Department of Agriculture, Agricultural Marketing Service, Room 2641-South, Cotton Program, 14th & Independence Avenue SW, Washington, DC 20250  
 Phone: 202 720-2145  
 Fax: 202 690-1718  
 Email: lee.cliburn@usda.gov

**RIN:** 0581-AB82

**DEPARTMENT OF AGRICULTURE (USDA)**  
**Agricultural Marketing Service (AMS)**

**Proposed Rule Stage**

**5. NATIONAL ORGANIC PROGRAM**

**Priority:** Economically Significant.  
 Major under 5 USC 801.

**Legal Authority:** PL 101-624, sec 2101 to 2123; 7 USC 6501 to 6522

**CFR Citation:** 7 CFR 205

**Legal Deadline:** NPRM, Statutory, May 28, 1991.

NPRM, Statutory, May 28, 1992.  
 Final, Statutory, October 1, 1993.  
 The Organic Foods Production Act calls for the Secretary to appoint the National Organic Standards Board 180 days after enactment and convene it within 60 days thereafter.

**Abstract:** The National Organic Program (NOP) would establish national standards for the organic production and handling of agricultural products. It establishes the 15-member National Organic Standards Board (NOSB) who advises the Secretary of Agriculture (Secretary) on all aspects regarding implementation of the NOP and particularly in developing the national list of approved and prohibited substances. It also would establish an accreditation program for State officials and private persons who want to be accredited to certify farms and handling operations that comply with the program's requirements. The program additionally would include labeling requirements for organic products and products containing organic ingredients and enforcement provisions. It further provides for the approval of State organic programs and the importation into the United States of organic agricultural products from foreign producers that meet or are the equivalent to the national standard.

**Timetable:**

Action	Date	FR Cite
Organic Livestock Hearings	12/30/93	58 FR 69315
Notice - Procedure To Submit Names of Substances for National List	03/27/95	60 FR 15744
NPRM	12/16/97	62 FR 65850
NPRM Comment Period End	04/30/98	
Issue Papers Published	10/28/98	63 FR 57624
Issue Papers Comment Period Ends	12/14/98	
Second NPRM	03/13/00	65 FR 13512
Second NPRM Comment Period End	06/12/00	
Final Action	To Be	Determined

**Regulatory Flexibility Analysis Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** State, Tribal

**Agency Contact:** Keith Jones, Program Manager, Department of Agriculture, Agricultural Marketing Service, Rm. 2945 So., National Organic Program, Transportation & Marketing Program, P.O. Box 96456, Washington, DC 20090-0645

Phone: 202 720-3252

Fax: 202 690-3924

Email: keith.jones@usda.gov

**RIN:** 0581-AA40

**6. NATIONAL LABORATORY ACCREDITATION PROGRAM**

**Priority:** Other Significant

**Unfunded Mandates:** Undetermined

**Legal Authority:** 7 USC 138 to 138i

**CFR Citation:** Not Yet Determined

**Legal Deadline:** None

**Abstract:** The 1990 Farm Bill authorized the creation of a National Laboratory Accreditation Program (NLAP) for laboratories that request accreditation and conduct residue testing of agricultural products concerning chemical residue levels on agricultural products. The program is designed to protect human health by ensuring that laboratories which make claims to the public concerning pesticide residue levels meet minimum quality and reliability standards. The standards for the NLAP will be provided by the Food and Drug Administration with the operation of the program under the Agricultural Marketing Service, USDA. The program costs will be offset by a fee schedule. The one-time appropriation was used to provide for a fully equipped pesticide laboratory to verify the findings of those laboratories applying for accreditation.

**Timetable:**

Action	Date	FR Cite
ANPRM	11/20/92	57 FR 54727
ANPRM Comment Period End	01/19/93	
NPRM	04/00/00	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Undetermined

**Agency Contact:** James V. Falk, Scientist, Technical Services Branch, Department of Agriculture, Agricultural Marketing Service, Room 3521-South, Science and Technology Program, P.O. Box 96456, Washington, DC 20090-6456  
 Phone: 202 690-4089  
 Fax: 202 720-4631  
 Email: james.falk@usda.gov

**RIN:** 0581-AB42

**7. PROCESSED FRUITS AND VEGETABLES: QUALIFIED THROUGH VERIFICATION (QTV)**

**Priority:** Other Significant

**Legal Authority:** 7 USC 1621 to 1627

**CFR Citation:** 7 CFR 52

**Legal Deadline:** None

**Abstract:** The Department of Agriculture (USDA) is proposing to revise the regulations governing inspection and certification of processed fruits and vegetables and certain other products by making changes to the definitions for the terms "inspection service, general"; "inspection service, types of"; official identification"; and "official marks" to specifically provide for a new voluntary audit-based inspection service for food safety and wholesomeness under the authority of the Agricultural Marketing Act (AMA) of 1946, amended. The "Qualified Through Verification" (QTV) Program was developed as a pilot program in 1995 at the request of the fresh-cut produce industry. The industry asked for a voluntary audit and verification service using science-based techniques that would help maintain public confidence in the wholesomeness of minimally processed fruits and vegetables. AMS finds that the economic impact of this action on businesses should be similar in effect to other existing voluntary programs within the Agency and that firms availing themselves of the QTV program will not necessarily have a significant marketing advantage or risk over those that do not use the service. It is reasonable to assume that a company would not choose to participate in the program unless it expected benefits to exceed costs. AMS went out in a variety of ways, public meetings and public notice to inform the public of the new service which was requested initially by the fresh-cut produce industry. The AMA of 1946 provides AMS authority for offering



## USDA—AMS

## Proposed Rule Stage

voluntary quality assurance and related services.

**Timetable:**

Action	Date	FR Cite
NPRM	09/00/00	

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Organizations

**Government Levels Affected:** None

**Agency Contact:** James R. Rodeheaver, Chief, Processed Products Branch, Department of Agriculture, Agricultural Marketing Service, MS 0709, Fruit & Vegetable Programs, P.O. Box 96456, Washington, DC 20090-6456

Phone: 202 720-4693

Fax: 202 690-1087

Email: james.rodeheaver@usda.gov

**RIN:** 0581-AB58

### 8. GENERAL SPECIFICATIONS FOR DAIRY PLANTS APPROVED FOR USDA INSPECTION AND GRADING

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 7 USC 1621 to 1627

**CFR Citation:** 7 CFR 58

**Legal Deadline:** None

**Abstract:** The proposed rule would: (1) Lower the maximum allowable bacterial estimate for manufacturing-grade producer milk from 1,000,000 per milliliter to 500,000 per milliliter; (2) lower the maximum allowable somatic cell count from 1,000,000 to 750,000 cells per milliliter; (3) lower the maximum permitted bacterial estimate in commingled milk from 3,000,000 per milliliter to 1,000,000 per milliliter; (4) modify the follow-up procedures when producer herd milk exceeds the maximum allowable bacterial estimate; (5) delete the laboratory screening test for somatic cells in producer-held milk samples (no change for goat milk); and (6) make editorial changes where necessary.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Duane R. Spomer, Chief, Standardization Branch, Department of Agriculture, Agricultural

Marketing Service, Rm. 2746-South, Dairy Programs, P.O. Box 96456, Washington, DC 20090-6456

Phone: 202 720-7473

Fax: 202 720-2643

Email: duane.spomer@usda.gov

**RIN:** 0581-AB59

### 9. BLUEBERRY RESEARCH, PROMOTION, AND INFORMATION ORDER

**Priority:** Routine and Frequent

**Legal Authority:** 7 USC 7411 to 7425

**CFR Citation:** 7 CFR 1218

**Legal Deadline:** None

**Abstract:** A proposal was submitted to the Department of Agriculture for a Blueberry Research, Promotion, and Information Order. Under the Order, producers and importers would pay an assessment of \$12 per ton. The assessment would be used to conduct a program to maintain, expand, and develop markets for blueberries. The proposed order was published on July 22, 1999 (64 FR 39790). A national referendum will be held to determine if the program will be implemented.

**Timetable:**

Action	Date	FR Cite
NPRM	07/22/99	64 FR 39790
NPRM Comment Period End	09/20/99	
Second NPRM	04/00/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Agency Contact:** Oliver Layne Flake, Marketing Specialist, Research & Promotion Branch, Department of Agriculture, Agricultural Marketing Service, Rm. 2535-South, Fruit & Vegetable Programs, MS 0244, P.O. Box 96456, Washington, DC 20090-6456

Phone: 202 720-5976

Fax: 202 205-2800

Email: oliver.flake@usda.gov

**RIN:** 0581-AB61

### 10. LIVESTOCK MANDATORY REPORTING ACT OF 1999

**Priority:** Economically Significant

**Legal Authority:** 7 USC 1621

**CFR Citation:** None

**Legal Deadline:** NPRM, Statutory, January 2000.

Final, Statutory, April 2000.

**Abstract:** The purpose of this rule is to establish a program of information regarding the marketing of cattle, swine, lambs, and products of such livestock.

**Timetable:**

Action	Date	FR Cite
NPRM	03/17/00	65 FR 14652
NPRM Comment Period End	04/17/00	
Final Action	07/00/00	

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:**

Undetermined

**Agency Contact:** John E. VanDyke, Chief, Livestock and Grain Market News, Department of Agriculture, Agricultural Marketing Service, Room 2619, South Building, 14th and Independence Avenue SW, Washington, DC 20090-6456

Phone: 202 720-6231

Fax: 202 690-3732

Email: john.vandyke@usda.gov

**RIN:** 0581-AB64

### 11. COTTON CLASSIFICATION SERVICES TO GROWERS, USER FEES FOR 2000 CROP

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 7 USC 471 to 476

**CFR Citation:** 7 CFR 28

**Legal Deadline:** NPRM, Statutory,

March 8, 2000.

**Abstract:** The user-fee for year 2000 crop cotton classification services to growers is expected to generate about \$26 million in revenues. The Agricultural Marketing Service will adjust the user fees for cotton producers for 2000 crop cotton classification services under the Cotton Statistics and Estimates Act in accordance with the formula specified in the Uniform Cotton Classing Fees Act of 1987.

**Timetable:**

Action	Date	FR Cite
NPRM	03/08/00	65 FR 12140
NPRM Comment Period End	04/07/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** Businesses

## USDA—AMS

## Proposed Rule Stage

**Government Levels Affected:** None

**Agency Contact:** A. Lee Cliburn,  
Cotton Marketing Specialist,  
Department of Agriculture, Agricultural  
Marketing Service, Room 2641-South,  
Cotton Program, 14th & Independence  
Avenue SW, Washington, DC 20250  
Phone: 202 720-2145  
Fax: 202 690-1718  
Email: lee.cliburn@usda.gov

**RIN:** 0581-AB72

### 12. • PERISHABLE AGRICULTURAL COMMODITIES ACT: INCREASE IN LICENSE AND COMPLAINT FEES

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 7 USC 4990

**CFR Citation:** 7 CFR 46

**Legal Deadline:** None

**Abstract:** The Department of Agriculture is proposing to amend the regulations under the Perishable Agricultural Commodities Act (PACA) and the PACA Rules of Practice to increase license and complaint filing fees. Specifically, the proposed revisions would increase the current annual license fee of \$550 to \$600 for very small businesses and would increase the license fee from \$550 to \$850 for all other licensees. Informal compliant filing fees would be increased from \$60 to \$100. In accordance with the Paperwork Reduction Act of 1995, this notice also announces the Agricultural Marketing Service's intention to request an extension for a revision to a currently approved information collection for the reporting and recordkeeping requirements under regulations (Other Than Rules of Practice) under the PACA.

**Timetable:**

Action	Date	FR Cite
NPRM	02/15/00	65 FR 7462
NPRM Comment Period End	04/17/00	

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** Federal

**Agency Contact:** Charles W. Parrott,  
Acting Chief, PACA Branch,  
Department of Agriculture, Agricultural  
Marketing Service, Room 2095-South,  
Fruit & Vegetable Programs, 14th &  
Independence Avenue SW,  
Washington, DC 20250

Phone: 202 720-2272

Fax: 202 690-4413

Email: charles.parrott@usda.gov

**RIN:** 0581-AB76

### 13. • FEDERAL SEED TESTING AND CERTIFICATION SERVICES, INCREASE IN FEES

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 7 USC 1622; 7 USC  
1624

**CFR Citation:** 7 CFR 75

**Legal Deadline:** None

**Abstract:** Proposal to increase the hourly fee rate charged for voluntary Federal seed testing and certification services.

**Timetable:**

Action	Date	FR Cite
ANPRM	10/29/99	64 FR 58358
ANPRM Comment Period End	12/28/99	
NPRM	04/00/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

**Agency Contact:** Richard C. Payne,  
Chief, Seed Regulatory and Testing  
Branch, Department of Agriculture,  
Agricultural Marketing Service, Room  
209, Building 306, BARC-East,  
Beltsville, MD 20705-2325  
Phone: 301 504-9430  
Email: richard.payne2@usda.gov

**RIN:** 0581-AB80

### 14. • HONEY RESEARCH AND PROMOTION PROGRAM

**Priority:** Routine and Frequent

**Legal Authority:** Not Yet Determined

**CFR Citation:** 7 CFR 1240

**Legal Deadline:** None

**Abstract:** This action amends the Honey Research, Promotion, and Consumer Information Order (Order) and its rules and regulations. The Order is authorized under the Honey Research, Promotion, and Consumer Information Act (Act) (October 30, 1984), as amended. The Act was most recently amended in the Agricultural Research Extension and Education Reform Act of 1997, which was signed into law on June 23, 1998. This proposed action would amend the

Order to implement the numerous amendments contained in the Act.

**Timetable:**

Action	Date	FR Cite
NPRM	02/28/00	65 FR 10600
NPRM Comment Period End	04/28/00	

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** Federal

**Agency Contact:** Karen Comfort, Fruit  
and Vegetable Marketing Specialist,  
Department of Agriculture, Agricultural  
Marketing Service, Room 2535-South,  
Stop 0244, Fruit and Vegetable  
Program, P.O. Box 96456, Washington,  
DC 20090-6456  
Phone: 202 720-5951  
Fax: 202 205-2800  
Email: karen.comfort@usda.gov

**RIN:** 0581-AB84

### 15. • CHANGES IN FEE FOR VOLUNTARY FEDERAL FRUITS AND VEGETABLES, PROCESSED

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 7 USC 1621 to 1627

**CFR Citation:** 7 CFR 52

**Legal Deadline:** None

**Abstract:** This proposed rule will increase the fees charged to the industry by approximately 3 to 9 percent, yielding additional program revenues of approximately \$1,020,000 annually. The \$1,020,000 additional revenue will be recouped through increased hourly rates for lot inspection (from \$43,000 to \$47,000) and less than year round inspection (from \$45.00 to \$48.00); year round inspection (from \$35.00 to \$36.00). This action will assist the program in maintaining an adequate reserve balance as required by Agency policy. This requirement, in conjunction with the need to cover a pay increase of approximately \$385,000 in January 2000 and another anticipated \$250,000 in January 2001 necessitates additional funding under the program. In addition, funds are needed to cover normal increases in other operating costs. The Agricultural Marketing Act (AMA) of 1946 authorizes voluntary official inspection, grading, and certification on a user-fee basis of processed food products including processed fruits, vegetables, and processed products made from

## USDA—AMS

## Proposed Rule Stage

them. The AMA provides that reasonable fees be collected from the user of the program services to cover as nearly as practicable the cost of services rendered.

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** James R. Rodeheaver, Chief, Processed Products Branch, Department of Agriculture, Agricultural Marketing Service, MS 0709, Fruit &

Vegetable Programs, P.O. Box 96456, Washington, DC 20090-6456

Phone: 202 720-4693

Fax: 202 690-1087

Email: james.rodeheaver@usda.gov

**RIN:** 0581-AB85

## DEPARTMENT OF AGRICULTURE (USDA)

## Final Rule Stage

## Agricultural Marketing Service (AMS)

**16. VOLUNTARY SHELL EGG REGULATIONS; REPACKAGING OF SHELL EGGS UNDER USDA'S GRADING PROGRAM**

**Priority:** Other Significant

**Legal Authority:** 7 USC 1621 to 1627

**CFR Citation:** 7 CFR 56

**Legal Deadline:** None

**Abstract:** Currently about one-third of the Nation's table eggs are marketed under the voluntary shell egg-grading program. Shell egg processors that choose to use this service pay a fee to have graders in their plants monitor processing operations and verify the grade and size of eggs packaged into packages bearing the USDA grade shield. The proposal would provide that in order to be officially identified with a USDA consumer grade shield, shell eggs must not be more than 15 days old (or some other period between 15 and 30 days if justified by public comment) and must not have been previously shipped for retail sale.

**Timetable:**

Action	Date	FR Cite
NPRM	07/27/99	64 FR 40522
NPRM Comment Period End	09/27/99	
Final Action	08/00/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Douglas C. Bailey, Chief, Standardization Branch, Poultry Programs, Department of Agriculture, Agricultural Marketing Service, Room 3944-S, MS 0259, 1400 Independence Avenue SW, Washington, DC 20250-0259

Phone: 202 720-3506

Fax: 202 690-0941

Email: douglas.bailey@usda.gov

**RIN:** 0581-AB56

**17. REFRIGERATION REQUIREMENTS FOR SHELL EGGS**

**Priority:** Other Significant

**Legal Authority:** 7 USC 1621 to 1627

**CFR Citation:** 7 CFR 56

**Legal Deadline:** NPRM, Statutory, October 1, 1999.

**Abstract:** Amendments to the Egg Products Inspection Act involved temperature and labeling requirements. AMS proposed changes to 7 CFR part 59 (Inspection of Eggs and Egg Products) to implement the mandatory amendments and changes to 7 CFR part 56 (Grading of Shell Eggs and U.S. Standards, Grades and Weight Classes for Shell Eggs) to make its requirements conform to those mandated in part 59. A USDA reorganization then consolidated food safety responsibilities into FSIS. FSIS promulgated a final rule to revise 7 CFR part 59, later redesignated 9 CFR part 590, to become effective August 27, 1999. AMS is now amending 7 CFR part 56 to conform to the mandatory FSIS requirements, also to become effective August 27, 1999.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	10/22/99	64 FR 56945
Interim Final Rule Comment Period End	12/21/99	
Final Action	04/00/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Rex A Barnes, Chief, Grading Branch, Department of Agriculture, Agricultural Marketing Service, Rm. 3938-South, Poultry Programs, P.O. Box 96456, Washington, DC 20090-6456

Phone: 202 720-3271

Fax: 202 690-3165

Email: rex.barnes@usda.gov

**RIN:** 0581-AB60

**18. OLIVE OIL RESEARCH, PROMOTION, AND INFORMATION ORDER**

**Priority:** Routine and Frequent

**Legal Authority:** 7 USC 7411 to 7425

**CFR Citation:** 7 CFR 1217

**Legal Deadline:** None

**Abstract:** A proposal was submitted by the North American Olive Association for a Olive Oil Research, Promotion, and Information Order. This program would be funded by an assessment on first handlers and importers of \$0.01 per pound. The proposed rule was published on August 26, 1999.

**Timetable:**

Action	Date	FR Cite
NPRM	08/26/99	64 FR 46754
NPRM Comment Period End	12/03/99	
Final Action	04/00/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Agency Contact:** Oliver Layne Flake, Marketing Specialist, Research & Promotion Branch, Department of Agriculture, Agricultural Marketing Service, Rm. 2535-South, Fruit & Vegetable Programs, MS 0244, P.O. Box 96456, Washington, DC 20090-6456

Phone: 202 720-5976

Fax: 202 205-2800

Email: oliver.flake@usda.gov

**RIN:** 0581-AB62

## USDA—AMS

## Final Rule Stage

**19. FEES FOR DESTINATION MARKET INSPECTION OF FRESH FRUITS AND VEGETABLES AND OTHER PRODUCTS: FEE INCREASE****Priority:** Substantive, Nonsignificant**Legal Authority:** 7 USC 1621 to 1627**CFR Citation:** 7 CFR 51**Legal Deadline:** None

**Abstract:** This rule would revise the regulations governing the inspection and certification for fresh fruits, vegetables and other products by increasing by approximately 18 percent the fees charged for the inspection of these products at destination markets. These revisions are necessary in order to recover, as nearly as practicable, the costs of performing inspection services at destination markets under the Agricultural Marketing Act of 1946. The fees charged to persons required to have inspections on imported commodities in accordance with the Agricultural Marketing Agreement Act of 1937 and for imported peanuts under the Agricultural Act of 1949 would also be affected. It is essential that the inspection program be self-sustaining and this fee increase is necessary to ensure that the program continues to support itself.

**Timetable:**

Action	Date	FR Cite
NPRM	09/20/99	64 FR 50774
NPRM Comment Period End	11/19/99	
Final Action	04/00/00	

**Regulatory Flexibility Analysis****Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None

**Agency Contact:** Robert J. Huttenlocker, Assistant Branch Chief, Fresh Products Branch, Department of Agriculture, Agricultural Marketing Service, Room 2049-South, Fruit & Vegetable Programs, 14th & Independence Avenue SW, Washington, DC 20250-0240  
Phone: 202 720-5870  
Fax: 202 720-5136  
Email: robert.huttenlocker@usda.gov

**RIN:** 0581-AB63**20. PROGRAM TO ASSESS ORGANIC CERTIFYING AGENCIES****Priority:** Other Significant**Legal Authority:** 7 USC 1621 to 1627**CFR Citation:** 7 CFR 37**Legal Deadline:** None

**Abstract:** This rule establishes a voluntary, fee-for-service program to verify that State and private organic certifying agencies comply with the requirements prescribed under the International Organization for Standardization Guide 65. This assessment program, conducted by the Livestock and Seed Program, is established to enable organic certifying agencies to comply with European Union requirements.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	06/09/99	64 FR 30861
Final Action	04/00/00	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** State

**Agency Contact:** Larry R. Meadows, Chief, Meat Grading and Certification Branch, Department of Agriculture, Agricultural Marketing Service, Stop 0248, Rm. 2626-South, Livestock & Seed Program, 14th & Independence Avenue SW, Washington, DC 20250-0248  
Phone: 202 720-1246  
Fax: 202 690-4119  
Email: larry.meadows@usda.gov

**RIN:** 0581-AB70**21. ● REGULATIONS GOVERNING THE INSPECTION OF EGGS****Priority:** Substantive, Nonsignificant**Legal Authority:** 21 USC 1031 to 1056**CFR Citation:** 7 CFR 57**Legal Deadline:** None

**Abstract:** 7 CFR part 57 was created from 7 CFR part 59 for the Agricultural Marketing Service to administer the disposition of restricted eggs under the shell egg surveillance program. This action will complete the administrative review of part 57 by deleting regulatory detail that is not needed by AMS to administer its responsibilities under the EPIA.

**Timetable:**

Action	Date	FR Cite
Final Action	04/00/00	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Rex A. Barnes, Chief, Grading Branch, Department of Agriculture, Agricultural Marketing Service, Rm. 3938-South, Poultry Programs, P.O. Box 96456, Washington, DC 20090-6456  
Phone: 202 720-3271  
Fax: 202 690-3165  
Email: rex.barnes@usda.gov

**RIN:** 0581-AB74**22. ● BLUEBERRY RESEARCH AND PROMOTION ORDER****Priority:** Routine and Frequent**Legal Authority:** 7 USC 7411 to 7424**CFR Citation:** 7 CFR 1218**Legal Deadline:** None

**Abstract:** This document would establish an industry-funded promotion, research, and information program for cultivated blueberries. Under this order, blueberry producers and importers would pay an assessment of \$12 per ton, which would be paid to the proposed Blueberry Council.

**Timetable:**

Action	Date	FR Cite
NPRM	07/22/99	64 FR 39790
NPRM Comment Period End	09/20/99	
Final Action	04/00/00	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** Undetermined

**Agency Contact:** Oliver Layne Flake, Marketing Specialist, Research & Promotion Branch, Department of Agriculture, Agricultural Marketing Service, Rm. 2535-South, Fruit & Vegetable Programs, MS 0244, P.O. Box 96456, Washington, DC 20090-6456  
Phone: 202 720-5976  
Fax: 202 205-2800  
Email: oliver.flake@usda.gov

**RIN:** 0581-AB78**23. ● CHANGES IN FEES FOR VOLUNTARY FEDERAL MEAT GRADING AND CERTIFICATION SERVICES****Priority:** Substantive, Nonsignificant**Legal Authority:** 7 USC 1621 to 1627

## USDA—AMS

## Final Rule Stage

**CFR Citation:** 7 CFR 54**Legal Deadline:** None

**Abstract:** Agricultural Marketing Service, Livestock and Seed Program, Meat Grading and Certification Branch, proposes to increase fees and charges for voluntary meat grading and certification services. The fees and charges need to be increased to cover increases in salary and other Agency costs.

**Timetable:**

Action	Date	FR Cite
NPRM	01/20/00	65 FR 3155
NPRM Comment Period End	03/20/00	
Final Action	06/00/00	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Larry R. Meadows, Chief, Meat Grading and Certification Branch, Department of Agriculture, Agricultural Marketing Service, Stop 0248, Rm. 2626-South, Livestock & Seed Program, 14th & Independence Avenue SW, Washington, DC 20250-0248

Phone: 202 720-1246

Fax: 202 690-4119

Email: larry.meadows@usda.gov

**RIN:** 0581-AB83

## DEPARTMENT OF AGRICULTURE (USDA)

## Long-Term Actions

## Agricultural Marketing Service (AMS)

#### 24. • CHANGES IN FEES FOR FEDERAL GRADING AND CERTIFICATION OF LIVESTOCK FOR CHICAGO MERCANTILE EXCHANGE FUTURES DELIVERIES

**Priority:** Substantive, Nonsignificant**Legal Authority:** 7 USC 1621 to 1627**CFR Citation:** 7 CFR 53**Legal Deadline:** None

**Abstract:** The purpose of this action is to amend the rate and procedures used to charge applicants for Federal grading and certification of livestock inspected for deliveries on commodity futures contracts.

**Timetable:** Next Action Undetermined**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None

**Agency Contact:** John E. VanDyke, Branch Chief, Department of Agriculture, Agricultural Marketing Service, Room 2619-South, L&S, 14th & Independence Avenue SW, Washington, DC 20250  
Phone: 202 720-6231  
Fax: 202 690-3732  
Email: john.vandyke@usda.gov

**RIN:** 0581-AB66

**Abstract:** The USDA official cotton classification includes a determination for color grade, which provides part of the basis for the determination of value for commercial purposes. The official color grade determination has been made by cotton classers even though High Volume Instrument (HVI) classification has been used for other USDA classification for American Upland since 1991. The National Cotton Council's Quality Task Force has recommended that the HVI measurements be used to determine the official cotton color for American Upland cotton.

**Timetable:** Next Action Undetermined**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None

**Agency Contact:** A. Lee Cliburn, Cotton Marketing Specialist, Department of Agriculture, Agricultural Marketing Service, Room 2641-South, Cotton Program, 14th & Independence Avenue SW, Washington, DC 20250  
Phone: 202 720-2145  
Fax: 202 690-1718  
Email: lee.cliburn@usda.gov

**RIN:** 0581-AB67**Legal Deadline:** None

**Abstract:** The Agricultural Marketing Service is proposing to develop a voluntary, user-fee funded program to inspect and certify equipment used to process livestock and poultry products to a sanitary standard for suitable materials in construction, cleanliness, inspectability, and durability.

**Timetable:** Next Action Undetermined**Regulatory Flexibility Analysis Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** Federal

**Agency Contact:** Dr. Craig Allen Morris, Asst. To Deputy Administrator, Department of Agriculture, Agricultural Marketing Service, Room 2092-South, L&S, 14th & Independence Avenue SW, Washington, DC 20250  
Phone: 202 720-1121  
Fax: 202 720-3499  
Email: craig.morris@usda.gov

**RIN:** 0581-AB69

#### 27. • REVISION OF PLANT VARIETY PROTECTION OFFICE FEES

**Priority:** Substantive, Nonsignificant**Legal Authority:** 7 USC 2321; 7 USC 2401**CFR Citation:** 7 CFR 97**Legal Deadline:** None

**Abstract:** The Plant Variety Protection, as provided by the Agricultural Marketing Service (AMS), is a voluntary, user-fee service conducted under the authority of the Plant Variety Protection Act of 1970. The AMS regularly reviews its user-fee financed programs to determine if fees are adequate. The most recent review

#### 25. • THE USE OF HIGH VOLUME INSTRUMENT (HVI) COLOR GRADE AS THE OFFICIAL USDA COLOR GRADE FOR AMERICAN UPLAND COTTON

**Priority:** Substantive, Nonsignificant**Legal Authority:** 7 USC 15b and 51.65**CFR Citation:** 7 CFR 27; 7 CFR 28**Legal Deadline:** None

#### 26. • REGULATIONS GOVERNING THE CERTIFICATION OF SANITARY DESIGN AND FABRICATION OF EQUIPMENT USED IN THE SLAUGHTER, PROCESSING, AND PACKAGING OF LIVESTOCK AND POULTRY PRODUCTS

**Priority:** Substantive, Nonsignificant**Legal Authority:** 7 USC 1621 to 1727**CFR Citation:** 7 CFR 54

USDA—AMS

Long-Term Actions

determined that the existing fee schedule will not generate sufficient revenues to cover program costs while maintaining an adequate reserve balance. This rule would increase the fees.

**Timetable:** Next Action Undetermined

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Dr. Ann Marie Thro, Commissioner, Department of Agriculture, Agricultural Marketing Service, PVPO, AMS/S&T NAL Bldg., 10301 Baltimore Boulevard, Room 500, Beltsville, MD 20705-2351  
Phone: 301 504-5518

**RIN:** 0581-AB71

**28. ● PERISHABLE AGRICULTURAL COMMODITIES ACT: RECOGNIZING LIMITED LIABILITY COMPANIES**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 7 USC 499o

**CFR Citation:** 7 CFR 46

**Legal Deadline:** None

**Abstract:** The Department of Agriculture is amending the regulations under the Perishable Agricultural Commodities Act (PACA) to recognize a limited liability (LLC) as a legal entity and also to recognize each member of an LLC and/or any other person authorized by the members to conduct business on behalf of an LLC as "responsibly connected" with the LLC as defined in the PACA.

**Timetable:**

Action	Date	FR Cite
ANPRM	10/25/99	64 FR 57405
Next Action Undetermined		

**Regulatory Flexibility Analysis Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** Federal

**Agency Contact:** Charles W. Parrott, Acting Chief, PACA Branch, Department of Agriculture, Agricultural Marketing Service, Room 2095-South, Fruit & Vegetable Programs, 14th & Independence Avenue SW, Washington, DC 20250  
Phone: 202 720-2272  
Fax: 202 690-4413  
Email: charles.parrott@usda.gov

**RIN:** 0581-AB77

DEPARTMENT OF AGRICULTURE (USDA)

Completed Actions

Agricultural Marketing Service (AMS)

**29. FEDERAL SEED ACT; AMENDMENTS**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 7 CFR 201

**Completed:**

Reason	Date	FR Cite
Final Action	01/11/00	65 FR 1703
Final Action Effective	02/10/00	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Richard C. Payne  
Phone: 301 504-9430  
Email: Richard.Payne2@USDA.Gov

**RIN:** 0581-AB55

provide regulatory authority to conduct moisture testing and collect fees and charges for these services.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	12/02/99	64 FR 67469
Interim Final Rule Effective	12/03/99	
Interim Final Rule Comment Period End	01/31/00	

**Regulatory Flexibility Analysis Required:** Yes

**Small Entities Affected:** Organizations

**Government Levels Affected:** None

**Agency Contact:** John P. Duncan III, Deputy Administrator, Department of Agriculture, Agricultural Marketing Service, Ag Code 0280, Tobacco Programs, Room 502 Annex Bldg., P.O. Box 96456, Washington, DC 20090-6456  
Phone: 202 205-0567  
Fax: 202 205-0235  
Email: john.duncan3@usda.gov

**RIN:** 0581-AB65

**Legal Deadline:** None

**Abstract:** The Agricultural Marketing Service increased the fees and charges for Federal voluntary egg, poultry, and rabbit grading. These fees and charges were increased to cover the increase in salaries of Federal employees, State employees cooperatively utilized in administering the program, and other increased Agency costs.

**Timetable:**

Action	Date	FR Cite
ANPRM	07/14/99	64 FR 37886
NPRM Comment Period End	08/13/99	
Final Action	09/24/99	64 FR 51671
Final Action Effective	10/01/99	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Rex A Barnes, Chief, Grading Branch, Department of Agriculture, Agricultural Marketing Service, Rm. 3938-South, Poultry Programs, P.O. Box 96456, Washington, DC 20090-6456  
Phone: 202 720-3271  
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**RIN:** 0581-AB73

**BILLING CODE 3410-02-F**

**30. ● TOBACCO INSPECTION: PERMISSIVE INSPECTION**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 7 USC 511 et seq

**CFR Citation:** 7 CFR 29

**Legal Deadline:** None

**Abstract:** The Department is amending the regulations governing permissive inspection of tobacco to provide for special tests and services requested by the industry. The buying segment of the tobacco industry requested that moisture testing be performed by AMS on all burley tobacco marketed during the 1999-2000 season. The amendments

**31. ● VOLUNTARY EGG, POULTRY, AND RABBIT GRADING, INCREASE IN FEES**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 7 USC 1621 to 1627

**CFR Citation:** 7 CFR 56; 7 CFR 70

**DEPARTMENT OF AGRICULTURE (USDA)**  
**Agricultural Research Service (ARS)**
**Completed Actions**
**32. NATIONAL AGRICULTURAL LIBRARY FEES FOR LOANS AND COPYING**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 7 CFR 505

**Completed:**

Reason	Date	FR Cite
Final Action	02/10/00	65 FR 6526
Final Action Effective	04/01/00	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Carol Ditzler  
 Phone: 301 504-6503  
 Fax: 301 504-6856  
 Email: userfees@nal.usda.gov

**RIN:** 0518-AA01  
**BILLING CODE** 3410-90-F

**DEPARTMENT OF AGRICULTURE (USDA)**  
**Farm Service Agency (FSA)**
**Long-Term Actions**
**33. SMALL FARMER OUTREACH TRAINING AND TECHNICAL ASSISTANCE PROGRAM**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 7 CFR 1943 subpart C

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	12/27/94	59 FR 66441
Final Action	To Be	Determined

**Regulatory Flexibility Analysis Required:** Yes

**Government Levels Affected:** State

**Agency Contact:** Tom Witzig

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Email: tom\_\_ witzig@wdc.fsa.usda.gov

**RIN:** 0560-AE17

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	To Be	Determined

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Tom Witzig

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**RIN:** 0560-AE33

**37. AMENDMENTS TO THE STANDARDS FOR APPROVAL OF WAREHOUSE FOR COMMODITY CREDIT CORPORATION STORAGE CONTRACTS**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 7 CFR 1421; 7 CFR 1423; 7 CFR 1427

**Timetable:**

Action	Date	FR Cite
NPRM	To Be	Determined

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Tom Witzig

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**RIN:** 0560-AE50

**34. PART 1946 MEDIATION; SUBPART A—AGRICULTURAL LOAN MEDIATION PROGRAM**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 7 CFR 1946 subpart A

**Timetable:**

Action	Date	FR Cite
NPRM	11/09/99	64 FR 61034
NPRM Comment	01/10/00	
Period End		
Final Rule	To Be	Determined

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:** State

**Agency Contact:** Tom Witzig

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**RIN:** 0560-AE26

**36. AMENDMENTS TO THE FARMER ACCOUNT SERVICING POLICIES**

**Priority:** Economically Significant

**CFR Citation:** 7 CFR 1900; 7 CFR 1910; 7 CFR 1924; 7 CFR 1941; 7 CFR 1943; 7 CFR 1951; 7 CFR 1955; 7 CFR 1956; 7 CFR 1962; 7 CFR 1965

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	09/14/88	53 FR 35638
NPRM	10/23/91	56 FR 54970
Interim Final Rule	04/30/92	57 FR 18612
Interim Final Rule	10/15/92	57 FR 47257
Interim Final Rule	03/23/93	58 FR 15418
Interim Final Rule	05/26/93	58 FR 30104
Interim Final Rule	12/30/93	58 FR 69190
Final Action	To Be	Determined

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Tom Witzig

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Email: tom\_\_ witzig@wdc.fsa.usda.gov

**RIN:** 0560-AE42

**38. DELETION OF FSA REGULATIONS REGARDING COLORADO RIVER BASIN SALINITY CONTROL PROGRAM**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 7 CFR 702; 7 CFR 703; 7 CFR 752

**Timetable:**

Action	Date	FR Cite
Final Action	To Be	Determined

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Tom Witzig

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**RIN:** 0560-AE54

**35. SELECTION AND FUNCTIONS OF FARM SERVICE AGENCY STATE AND COUNTY COMMITTEES**

**Priority:** Info./Admin./Other

**CFR Citation:** 7 CFR 7

## USDA—FSA

## Long-Term Actions

**39. AMENDMENT TO THE COTTON WAREHOUSE REGULATIONS REGARDING THE DEFINITION OF "UNNECESSARY DELAY"****Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 735**Timetable:**

Action	Date	FR Cite
ANPRM	05/26/98	63 FR 28488
ANPRM Comment Period End	07/27/98	
NPRM	05/28/99	64 FR 28938
NPRM Comment Period End	07/27/99	
Final Action	To Be	Determined

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None**Agency Contact:** Tom Witzig

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Email: tom\_\_ witzig@wdc.fsa.usda.gov

**RIN:** 0560—AF13**40. AMENDMENTS TO THE DEBT SETTLEMENT POLICIES AND PROCEDURES TO CONFORM TO THE DEBT COLLECTION IMPROVEMENT ACT OF 1996****Priority:** Other Significant**CFR Citation:** 7 CFR 792; 7 CFR 1403; 7 CFR 1404**Timetable:**

Action	Date	FR Cite
NPRM	To Be	Determined

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None**Agency Contact:** Tom Witzig

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Email: tom\_\_ witzig@wdc.fsa.usda.gov

**RIN:** 0560—AF22**41. AMENDMENTS TO THE FORAGE PROVISIONS OF THE NONINSURED CROP DISASTER ASSISTANCE PROGRAM****Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 1437**Timetable:**

Action	Date	FR Cite
Interim Final Rule	10/17/97	62 FR 53929
Final Action	To Be	Determined

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None**Agency Contact:** Tom Witzig

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Fax: 202 720-5233

Email: tom\_\_ witzig@wdc.fsa.usda.gov

**RIN:** 0560—AF23**42. SUGAR PROGRAM INFORMATION REPORTING AND RECORDKEEPING REQUIREMENTS****Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 1435**Timetable:**

Action	Date	FR Cite
NPRM	To Be	Determined

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None**Agency Contact:** Tom Witzig

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**RIN:** 0560—AF31**43. INAPPLICABILITY TO FSA'S FARM LOAN PROGRAMS OF REDUNDANT INSTRUCTIONS REGARDING THE COLLECTION AND DEPOSITING OF PROGRAM PAYMENTS****Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 1951**Timetable:**

Action	Date	FR Cite
NPRM	To Be	Determined

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None**Agency Contact:** Tom Witzig

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**RIN:** 0560—AF34**44. AMENDMENT TO THE FARM RECONSTITUTION REGULATIONS****Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 718**Timetable:**

Action	Date	FR Cite
NPRM	To Be	Determined

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None**Agency Contact:** Tom Witzig

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**RIN:** 0560—AF36**45. DAIRY RECOURSE LOAN PROGRAM****Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 1430**Timetable:**

Action	Date	FR Cite
NPRM	07/22/99	64 FR 39442
NPRM Comment Period End	09/07/99	
Final Action	To Be	Determined

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None**Agency Contact:** Tom Witzig

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**RIN:** 0560—AF41**46. DEBT SETTLEMENT FOR INDIAN TRIBAL LAND ACQUISITION LOANS****Priority:** Other Significant**CFR Citation:** 7 CFR 1823; 7 CFR 1951**Timetable:**

Action	Date	FR Cite
ANPRM	03/03/99	64 FR 10235
ANPRM Comment Period End	04/02/99	
NPRM	11/02/99	64 FR 59131
NPRM Comment Period End	12/02/99	
Final Action	To Be	Determined

**Regulatory Flexibility Analysis****Required:** Undetermined**Government Levels Affected:** Undetermined**Agency Contact:** Tom Witzig

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**RIN:** 0560—AF43



## USDA—FSA

## Long-Term Actions

**47. NONINSURED CROP DISASTER ASSISTANCE PROGRAM REGULATIONS FOR THE 1998 AND SUCCEEDING CROP YEARS****Priority:** Other Significant**CFR Citation:** 7 CFR 1437**Timetable:**

Action	Date	FR Cite
Interim Final Rule	04/09/99	64 FR 17271
Interim Final Rule Comment Period End	06/08/99	
Final Action	To Be	Determined

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None**Agency Contact:** Tom Witzig

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**RIN:** 0560-AF46**48. 1999-CROP MARKETING QUOTA AND PRICE SUPPORT LEVEL FOR BURLEY TOBACCO****Priority:** Other Significant**CFR Citation:** 7 CFR 723; 7 CFR 1464**Timetable:**

Action	Date	FR Cite
Final Action	To Be	Determined

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None**Agency Contact:** Tom Witzig

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**RIN:** 0560-AF50**49. 1999-CROP MARKETING QUOTAS AND PRICE SUPPORT LEVELS FOR FIVE KINDS OF TOBACCO****Priority:** Other Significant**CFR Citation:** 7 CFR 723; 7 CFR 1464**Timetable:**

Action	Date	FR Cite
NPRM	02/26/99	64 FR 9452
NPRM Comment Period End	03/01/99	
Final Action	To Be	Determined

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None**Agency Contact:** Tom Witzig

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**RIN:** 0560-AF51**50. REMOVE INTERNAL AGENCY PROVISION FROM FSA FARM CREDIT PROGRAM REGULATION—LIQUIDATION OF LOANS SECURED BY REAL ESTATE AND ACQUISITION OF REAL AND CHATTEL PROPERTY****Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 1955**Timetable:**

Action	Date	FR Cite
Final Action	To Be	Determined

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None**Agency Contact:** Tom Witzig

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**RIN:** 0560-AF53**51. DEBT SETTLEMENT OF THE FARM LOAN PROGRAM'S NONPROGRAM LOANS****Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 1956**Timetable:**

Action	Date	FR Cite
Final Action	To Be	Determined

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None**Agency Contact:** Tom Witzig

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**RIN:** 0560-AF54**52. CLEANING AND REINSPECTION OF FARMERS' STOCK PEANUTS****Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 1446**Timetable:**

Action	Date	FR Cite
NPRM	08/05/98	63 FR 41711
NPRM Comment Period End	09/04/98	
Final Action	To Be	Determined

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None**Agency Contact:** Tom Witzig

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**RIN:** 0560-AF56**53. REGULATORY STREAMLINING OF THE FARM SERVICE AGENCY'S DIRECT FARM LOAN PROGRAMS****Priority:** Other Significant**CFR Citation:** 7 CFR ch 7; 7 CFR ch 18**Timetable:**

Action	Date	FR Cite
NPRM	09/00/01	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None**Agency Contact:** Tom Witzig

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**RIN:** 0560-AF60**54. AMENDMENTS TO THE REGULATIONS GOVERNING THE PEANUT POUNDAGE QUOTA AND PRICE SUPPORT PROGRAMS****Priority:** Other Significant**CFR Citation:** 7 CFR 714; 7 CFR 729; 7 CFR 1446**Timetable:**

Action	Date	FR Cite
Interim Final Rule	02/18/00	65 FR 8245
Interim Final Rule Effective	02/18/00	
Interim Final Rule Comment Period End	03/20/00	
Final Action	To Be	Determined

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None**Agency Contact:** Tom Witzig

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**RIN:** 0560-AF61**55. SMALL HOG OPERATION PAYMENT PLAN****Priority:** Other Significant**CFR Citation:** 7 CFR 761

## USDA—FSA

## Long-Term Actions

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	02/10/99	64 FR 6495
Interim Final Rule	08/30/99	64 FR 47097
Correction	11/17/99	64 FR 62565
Final Action	To Be Determined	

**Regulatory Flexibility Analysis**

Required: No

**Government Levels Affected:** None**Agency Contact:** Tom Witzig

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**RIN:** 0560-AF70**56. LOW DOCUMENTATION LOAN****Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 1910; 7 CFR 1941**Timetable:**

Action	Date	FR Cite
NPRM	To Be Determined	

**Regulatory Flexibility Analysis**

Required: No

**Government Levels Affected:** None**Agency Contact:** Tom Witzig

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**RIN:** 0560-AF71**57. MODIFICATION OF COLLATERAL REQUIREMENTS FOR EMERGENCY LOANS****Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 1945**Timetable:**

Action	Date	FR Cite
Final Action	To Be Determined	

**Regulatory Flexibility Analysis**

Required: No

**Government Levels Affected:** None**Agency Contact:** Tom Witzig

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**RIN:** 0560-AF72**58. AMENDMENTS TO THE CONSERVATION RESERVE PROGRAM REGULATIONS REGARDING LOAN ELIGIBILITY****Priority:** Other Significant**CFR Citation:** 7 CFR 1410**Timetable:**

Action	Date	FR Cite
NPRM	To Be Determined	

**Regulatory Flexibility Analysis**

Required: No

**Government Levels Affected:** None**Agency Contact:** Tom Witzig

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**RIN:** 0560-AF77**59. SERVICING SHARED APPRECIATION AGREEMENTS****Priority:** Other Significant**CFR Citation:** 7 CFR 1951**Timetable:**

Action	Date	FR Cite
NPRM	11/10/99	64 FR 61221
NPRM Comment	01/10/00	
Period End		
Final Action	To Be Determined	

**Regulatory Flexibility Analysis**

Required: No

**Government Levels Affected:** None**Agency Contact:** Tom Witzig

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**RIN:** 0560-AF78**60. PRODUCTION FLEXIBILITY CONTRACTS FOR WHEAT, FEED GRAINS, RICE, AND UPLAND COTTON****Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 1412.401**Timetable:**

Action	Date	FR Cite
ANPRM	05/05/99	64 FR 24091
ANPRM Comment	06/02/99	
Period End		
Second ANPRM	06/25/99	64 FR 34154
Second ANPRM	07/23/99	
Comment Period		
End		
NPRM	To Be Determined	

**Regulatory Flexibility Analysis**

Required: No

**Government Levels Affected:** None**Agency Contact:** Tom Witzig

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**RIN:** 0560-AF79**61. SUSPENSION OF COLLECTION OF RECAPTURE AMOUNT FOR BORROWERS WITH CERTAIN SHARED APPRECIATION AGREEMENTS****Priority:** Other Significant**CFR Citation:** 7 CFR 1951**Timetable:**

Action	Date	FR Cite
Interim Final Rule	04/23/99	64 FR 19863
Interim Final Rule	06/22/99	
Comment Period		
End		

Next Action Undetermined

**Regulatory Flexibility Analysis**

Required: No

**Government Levels Affected:** None**Agency Contact:** Tom Witzig

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**RIN:** 0560-AF80**62. 2000-CROP PEANUTS NATIONAL POUNDAGE QUOTA, NATIONAL AVERAGE LOAN RATES FOR QUOTA AND ADDITIONAL PEANUTS AND MINIMUM EXPORT-EDIBLE SALES PRICE FOR ADDITIONAL PEANUTS****Priority:** Other Significant**CFR Citation:** 7 CFR 729; 7 CFR 1446**Timetable:**

Action	Date	FR Cite
NPRM	11/30/99	64 FR 66790
Quota Announcement	12/13/99	
Final Action	To Be Determined	

**Regulatory Flexibility Analysis**

Required: No

**Government Levels Affected:** None**Agency Contact:** Tom Witzig

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**RIN:** 0560-AF83**63. 2000-CROP MARKETING QUOTA AND PRICE SUPPORT LEVEL FOR FLUE-CURED TOBACCO****Priority:** Other Significant**CFR Citation:** 7 CFR 723; 7 CFR 1464**Timetable:**

Action	Date	FR Cite
Quota Announcement	12/15/99	
Next Action	Undetermined	

## USDA—FSA

## Long-Term Actions

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None**Agency Contact:** Tom Witzig

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**RIN:** 0560-AF84**64. 2000-CROP MARKETING QUOTA AND PRICE SUPPORT LEVEL FOR BURLEY TOBACCO****Priority:** Other Significant**CFR Citation:** 7 CFR 723; 7 CFR 1464**Timetable:**

Action	Date	FR Cite
Quota Announcement	02/01/00	
Next Action	Undetermined	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None**Agency Contact:** Tom Witzig

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**RIN:** 0560-AF85**65. 2000-CROP MARKETING QUOTAS AND PRICE SUPPORT LEVELS FOR FIVE KINDS OF TOBACCO****Priority:** Other Significant**CFR Citation:** 7 CFR 723; 7 CFR 1464**Timetable:**

Action	Date	FR Cite
NPRM	To Be Determined	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None**Agency Contact:** Tom Witzig

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**RIN:** 0560-AF86**66. METHOD OF CALCULATION OF LOAN DEFICIENCY PAYMENT RATES****Priority:** Other Significant**CFR Citation:** 7 CFR 1421**Timetable:**

Action	Date	FR Cite
Notice	To Be Determined	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None**Agency Contact:** Tom Witzig

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**RIN:** 0560-AF87**67. DEBT SETTLEMENT OF FARM LOAN PROGRAM LOANS****Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 1956**Timetable:**

Action	Date	FR Cite
NPRM	To Be Determined	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None**Agency Contact:** Tom Witzig

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**RIN:** 0560-AF88**68. AMENDMENT TO THE FARM LOAN PROGRAM REGARDING THE TIME PERIOD FOR REQUESTS FOR DEBT SETTLEMENT****Priority:** Info./Admin./Other**CFR Citation:** 7 CFR 1951-S**Timetable:**

Action	Date	FR Cite
Final Action	To Be Determined	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None**Agency Contact:** Tom Witzig

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**RIN:** 0560-AF89**69. • NONINSURED CROP DISASTER ASSISTANCE PROGRAM REGULATIONS FOR THE 1999 AND SUCCEEDING YEARS****Priority:** Other Significant**Legal Authority:** PL 106-113**CFR Citation:** 7 CFR 1437**Legal Deadline:** None**Abstract:** Section 101 of the Emergency Supplemental Appropriations of the District of Columbia Appropriations Act, 2000 provides "Notwithstanding

section 196 of the Agricultural Market Transition Act (7 U.S.C. 7333), the Secretary of Agriculture shall provide up to \$20,000,000 in assistance under the noninsured crop assistance program under that section, without any requirement for an area loss, to producers located in a county with respect to which a natural disaster was declared by the Secretary, or a major disaster or emergency was declared by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.)." Regulations at 7 CFR 1437 will be amended to promulgate rules pertaining to section 101. The expected cost is \$20 million.

**Timetable:**

Action	Date	FR Cite
NPRM	To Be Determined	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Tom Witzig, Chief, Regulatory Review and Foreign Investment Disclosure Branch, Department of Agriculture, Farm Service Agency, Room 6734-S, 14th and Independence Avenue SW, Washington, DC 20250

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**RIN:** 0560-AF90**70. • DISASTER SET-ASIDE PROGRAM****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 301; 7 USC 1989; 42 USC 1480**CFR Citation:** 7 CFR 1951**Legal Deadline:** None

**Abstract:** The Farm Service Agency (FSA) is amending the disaster set-aside program requirement to allow farm borrowers to set aside portions of payments that could not be made as scheduled due to a natural disaster as declared by the President or Secretary of Agriculture between January 1, 1999, and December 31, 1999, or because of the adverse economic conditions and low commodity prices which were determined to have occurred in 1999. Applications for economic disaster set-aside must be received on or before August 31, 2000. Also, those borrowers

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who have loans with set-aside payments as of the publication date of this regulation may set aside a second payment on the same loans if determined eligible based on criteria established by this rule. To receive consideration for a second set-aside due to a natural disaster, the borrower's request must be received within 8 months from the date of the disaster designation, in accordance with FmHA Instruction 1945-A. These provisions will allow the Agency to serve farmers who have experienced losses due to a natural disaster or adverse economic conditions in an efficient and timely manner while helping them stay in business. This rule will not increase losses for the Agency. Disaster or economically distressed farmers will be served in an efficient and timely manner while keeping them in business and thus minimizing losses to the Government.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	To Be	Determined

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Tom Witzig, Chief, Regulatory Review and Foreign Investment Disclosure Branch, Department of Agriculture, Farm Service Agency, Room 6734-S, 14th and Independence Avenue SW, Washington, DC 20250  
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**RIN:** 0560-AF91**71. • FARM STORAGE FACILITY LOAN PROGRAM****Priority:** Economically Significant**Legal Authority:** 15 USC 714**CFR Citation:** 7 CFR 1436**Legal Deadline:** None

**Abstract:** The Farm Storage Facility Loan Program provides low-cost financing to producers to build or upgrade farm commodity storage and handling facilities. The program was established in 1949. However, CCC stopped making new loans in 1983, and the programs regulations were repealed in 1993. This action will promulgate new regulations for the program. The

expected cost is \$150 million per year over 7 years.

**Timetable:**

Action	Date	FR Cite
Final Action	To Be	Determined

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Tom Witzig, Chief, Regulatory Review and Foreign Investment Disclosure Branch, Department of Agriculture, Farm Service Agency, Room 6734-S, 14th and Independence Avenue SW, Washington, DC 20250  
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**RIN:** 0560-AG00**72. • DESIGNATION OF NON-AUCTION TOBACCO****Priority:** Substantive, Nonsignificant**Legal Authority:** 7 USC 1445**CFR Citation:** 7 CFR 1464**Legal Deadline:** None

**Abstract:** This rule will amend the tobacco marketing quota regulations to provide that when flue-cured tobacco producers make their warehouse designations, as required for price support, they must indicate the amount that will be sold auction or non-auction. The identification of non-auction intentions will prevent warehouses from getting credit for sale time that is unnecessary. This rule is expected to have minimal economic impact but will result in a more orderly process of marketing tobacco.

**Timetable:**

Action	Date	FR Cite
NPRM	To Be	Determined

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Tom Witzig, Chief, Regulatory Review and Foreign Investment Disclosure Branch, Department of Agriculture, Farm Service Agency, Room 6734-S, 14th and Independence Avenue SW, Washington, DC 20250  
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**RIN:** 0560-AG07**73. • 2000 DAIRY INDEMNITY PAYMENT PROGRAM****Priority:** Substantive, Nonsignificant**Legal Authority:** PL 106-78**CFR Citation:** 7 CFR 760**Legal Deadline:** None

**Abstract:** The Dairy Indemnity Payment Program indemnifies dairy farmers for milk dumped because of contamination that was not the fault of the producer and indemnifies dairy manufacturers for dairy products removed from the market through no fault of their own. This action is needed to reauthorize the program through 9/30/00 in accordance with the FY 2000 Appropriations Act. Reauthorization of the program is mandatory. \$450,000 is expected to be authorized for FY 2000.

**Timetable:**

Action	Date	FR Cite
Final Action	To Be	Determined

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Tom Witzig, Chief, Regulatory Review and Foreign Investment Disclosure Branch, Department of Agriculture, Farm Service Agency, Room 6734-S, 14th and Independence Avenue SW, Washington, DC 20250  
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**RIN:** 0560-AG10**74. • AGRICULTURAL DISASTER AND MARKET ASSISTANCE****Priority:** Economically Significant**Legal Authority:** PL 106-78; PL 106-113**CFR Citation:** 7 CFR 1411; 7 CFR 1427; 7 CFR 1439; 7 CFR 1464; 7 CFR 1478**Legal Deadline:** None

**Abstract:** This rule implements agricultural disaster and market assistance provisions of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2000 (Pub. L. 106-

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78) and the Omnibus Consolidated Appropriations Act, 2000 (Pub. L. 106-113). This action will implement the statutory provisions related to cottonseed market loss, a competitiveness program for Extra-Long Staple (ELS), warehouse-stored tobacco loss assistance, pasture recovery, oilseeds marketing loss, emergency assistance for Harney County, Oregon, and livestock disaster assistance for contract growers. It will also finalize existing regulations for the Livestock Indemnity and American Indian Livestock Feed Programs and reorganize 7 CFR part 1439, Emergency Livestock Assistance, to remove obsolete regulations.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	To Be	Determined

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Tom Witzig, Chief, Regulatory Review and Foreign Investment Disclosure Branch, Department of Agriculture, Farm Service Agency, Room 6734-S, 14th and Independence Avenue SW, Washington, DC 20250  
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**RIN:** 0560-AG14

**75. • CLARIFICATION OF CASH FLOW MARGIN REQUIREMENTS FOR FARM SERVICE AGENCY GUARANTEED LOANS****Priority:** Other Significant**Legal Authority:** 5 USC 301; 7 USC 1989; 42 USC 1480**CFR Citation:** 7 CFR 762**Legal Deadline:** None**Abstract:** On February 12, 1999, the Farm Service Agency published a new

regulation at 7 CFR part 762 to govern its guaranteed farm loan program. On May 21, 1999, the Emergency Supplemental Appropriations Act of 1999 (Pub. L. 106-31) amended the Consolidated Farm and Rural Development Act (7 U.S.C. 1989) to remove the requirement in section 339(b) that the Agency consider the costs of replacing capital items when considering whether a guaranteed loan customer has adequate capacity for debt service. This rule implements this change by amending part 762 accordingly. In this rule, the Agency is also making wording changes in order to correct some erroneous or unclear provisions in the regulation that have been brought to light since its implementation. The economic effect of this rule will be to reduce the number of applicants that are eligible for interest assistance subsidy from FSA. Before this change, a borrower was eligible for a subsidy of their installment if it was necessary for them to achieve a cash flow margin of 10 percent. Last year (FY 1999), approximately 7,068 borrowers received interest assistance of approximately \$41 million. This rule will provide for an interest assistance subsidy in only those cases where subsidy is necessary for a borrower to achieve a feasible plan with no margin. This change is expected to reduce the amount of subsidy paid by FSA each year by approximately \$20 million.

**Timetable:**

Action	Date	FR Cite
NPRM	To Be	Determined

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

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**RIN:** 0560-AG15**76. • ETHANOL AND BIODIESEL GRAIN PROGRAM****Priority:** Economically Significant**Legal Authority:** EO 13134; PL 99-198; 15 USC 714 et seq.**CFR Citation:** 7 CFR 1424**Legal Deadline:** None

**Abstract:** This action will provide cash payments to ethanol and biodiesel producers who increase their purchase of surplus grains over the previous calendar year's purchases and convert that grain into fuel-grade ethanol and biodiesel. The program will encourage the production of fuel grade ethanol and biodiesel from grain and remove surplus grain from the market. \$148 million in payments are projected for fiscal year 2001, with anticipated offsetting reductions of uncertain size in commodity loan and loan deficiency programs.

**Timetable:**

Action	Date	FR Cite
NPRM	To Be	Determined

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None

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**RIN:** 0560-AG16

## DEPARTMENT OF AGRICULTURE (USDA)

## Completed Actions

## Farm Service Agency (FSA)

**77. PROGRAM INELIGIBILITY FOR NONCOMPLIANCE WITH BOLL WEEVIL ERADICATION PROGRAM****Priority:** Substantive, Nonsignificant**CFR Citation:** None**Completed:**

Reason	Date	FR Cite
Withdrawn	02/11/00	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None

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## USDA—FSA

## Completed Actions

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 RIN: 0560-AD57

#### 78. SUGAR AND CRYSTALLINE FRUCTOSE INFORMATION AND RECORDKEEPING REQUIREMENTS

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 7 CFR 1435

**Completed:**

Reason	Date	FR Cite
Withdrawn	02/11/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

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RIN: 0560-AD88

#### 79. IMPLEMENTATION PROCEDURES FOR HIGHLY ERODIBLE LAND AND WETLANDS CONSERVATION PROVISIONS OF THE FOOD SECURITY ACT

**Priority:** Other Significant

**CFR Citation:** 7 CFR 1940

**Completed:**

Reason	Date	FR Cite
Withdrawn	01/28/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

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RIN: 0560-AE38

#### 80. AMENDMENT TO THE CONSERVATION RESERVE PROGRAM REGARDING EARLY CONTRACT TERMINATIONS

**Priority:** Other Significant

**CFR Citation:** 7 CFR 704

**Completed:**

Reason	Date	FR Cite
Final Action	02/19/97	62 FR 7601

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

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 RIN: 0560-AE56

#### 81. SUSPENSION OF THE EMERGENCY LIVESTOCK ASSISTANCE REGULATIONS FOR CROP YEARS 1996 TO 2002

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 7 CFR 1475

**Completed:**

Reason	Date	FR Cite
Withdrawn	02/11/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Tom Witzig

Phone: 202 205-5851

Fax: 202 720-5233

Email: tom\_\_ witzig@wdc.fsa.usda.gov

RIN: 0560-AE86

#### 82. DIRECT LINE OF CREDIT PROGRAM

**Priority:** Other Significant

**CFR Citation:** 7 CFR 1910; 7 CFR 1924; 7 CFR 1941

**Completed:**

Reason	Date	FR Cite
Withdrawn	04/06/99	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Tom Witzig

Phone: 202 205-5851

Fax: 202 720-5233

Email: tom\_\_ witzig@wdc.fsa.usda.gov

RIN: 0560-AE90

#### 83. REVISION OF REGULATIONS PERTAINING TO INDIAN TRIBES AND TRIBAL CORPORATIONS

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 7 CFR 1823; 7 CFR 1942-F; 7 CFR 1956-C

**Completed:**

Reason	Date	FR Cite
Merged With 0560-AF43	01/28/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Tom Witzig  
 Phone: 202 205-5851  
 Fax: 202 720-5233  
 Email: tom\_\_ witzig@wdc.fsa.usda.gov  
 RIN: 0560-AE91

#### 84. AMENDMENTS TO UPDATE THE TOBACCO PROGRAM REGULATIONS

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 7 CFR 711; 7 CFR 714; 7 CFR 717; 7 CFR 723; 7 CFR 1464

**Completed:**

Reason	Date	FR Cite
Withdrawn	02/14/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Tom Witzig

Phone: 202 205-5851

Fax: 202 720-5233

Email: tom\_\_ witzig@wdc.fsa.usda.gov

RIN: 0560-AF05

#### 85. AMENDMENTS TO UPDATE THE PEANUT PROGRAM REGULATIONS

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 7 CFR 1446

**Completed:**

Reason	Date	FR Cite
Merged With 0560-AF61	02/14/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Tom Witzig

Phone: 202 205-5851

Fax: 202 720-5233

Email: tom\_\_ witzig@wdc.fsa.usda.gov

RIN: 0560-AF06

#### 86. AMENDMENTS TO UPDATE FARM PROGRAM PAYMENT LIMITATION AND DISASTER REGULATIONS UNDER THE NATIONAL PERFORMANCE REVIEW

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 7 CFR 777; 7 CFR 795; 7 CFR 1400

**Completed:**

Reason	Date	FR Cite
Withdrawn	02/11/00	

**Regulatory Flexibility Analysis**

**Required:** No

## USDA—FSA

## Completed Actions

**Government Levels Affected:** None  
**Agency Contact:** Tom Witzig  
 Phone: 202 205-5851  
 Fax: 202 720-5233  
 Email: tom\_\_ witzig@wdc.fsa.usda.gov  
**RIN:** 0560-AF10

### 87. REFUND OF MARKETING QUOTA PENALTIES AND TOBACCO AUCTION WAREHOUSE RECORDS AND REPORTS

**Priority:** Substantive, Nonsignificant  
**CFR Citation:** 7 CFR 714; 7 CFR 723; 7 CFR 729

**Completed:**

Reason	Date	FR Cite
Withdrawn	02/14/00	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Tom Witzig  
 Phone: 202 205-5851  
 Fax: 202 720-5233  
 Email: tom\_\_ witzig@wdc.fsa.usda.gov  
**RIN:** 0560-AF26

### 88. REFUND OF MARKETING QUOTA PENALTIES AND OTHER PEANUT PROGRAM PROVISIONS

**Priority:** Substantive, Nonsignificant  
**CFR Citation:** 7 CFR 729

**Completed:**

Reason	Date	FR Cite
Merged With 0560-AF61	02/14/00	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Tom Witzig  
 Phone: 202 205-5851  
 Fax: 202 720-5233  
 Email: tom\_\_ witzig@wdc.fsa.usda.gov  
**RIN:** 0560-AF27

### 89. CONTRACTING ADDITIONAL PEANUTS BY TYPE AND SEGREGATION

**Priority:** Substantive, Nonsignificant  
**CFR Citation:** 7 CFR 1446

**Completed:**

Reason	Date	FR Cite
Merged With 0560-AF61	02/14/00	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Tom Witzig  
 Phone: 202 205-5851  
 Fax: 202 720-5233  
 Email: tom\_\_ witzig@wdc.fsa.usda.gov  
**RIN:** 0560-AF28

### 90. AMERICAN INDIAN LIVESTOCK FEED PROGRAM

**Priority:** Other Significant  
**CFR Citation:** 7 CFR 1439

**Completed:**

Reason	Date	FR Cite
Merged With 0560-AG14	02/11/00	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Tom Witzig  
 Phone: 202 205-5851  
 Fax: 202 720-5233  
 Email: tom\_\_ witzig@wdc.fsa.usda.gov  
**RIN:** 0560-AF29

### 91. UPLAND COTTON USER MARKETING CERTIFICATE PROGRAM; REVISION OF REGULATIONS

**Priority:** Other Significant  
**CFR Citation:** 7 CFR 1427

**Completed:**

Reason	Date	FR Cite
Merged With 0560-AG13	02/14/00	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Tom Witzig  
 Phone: 202 205-5851  
 Fax: 202 720-5233  
 Email: tom\_\_ witzig@wdc.fsa.usda.gov  
**RIN:** 0560-AF32

### 92. COOPERATIVE MARKETING ASSOCIATIONS

**Priority:** Substantive, Nonsignificant  
**CFR Citation:** 7 CFR 1425

**Completed:**

Reason	Date	FR Cite
Withdrawn	02/11/00	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Tom Witzig  
 Phone: 202 205-5851  
 Fax: 202 720-5233  
 Email: tom\_\_ witzig@wdc.fsa.usda.gov  
**RIN:** 0560-AF33

### 93. CHANGE IN WAREHOUSE RECEIPT REQUIREMENTS FOR CCC'S COTTON LOAN AND LOAN DEFICIENCY PAYMENT PROGRAMS

**Priority:** Substantive, Nonsignificant  
**CFR Citation:** 7 CFR 1427

**Completed:**

Reason	Date	FR Cite
Withdrawn	02/14/00	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Tom Witzig  
 Phone: 202 205-5851  
 Fax: 202 720-5233  
 Email: tom\_\_ witzig@wdc.fsa.usda.gov  
**RIN:** 0560-AF39

### 94. CHEMICAL TESTING OF FARMERS' STOCK PEANUTS FOR AFLATOXIN CONTENT

**Priority:** Substantive, Nonsignificant  
**CFR Citation:** 7 CFR 729; 7 CFR 1446

**Completed:**

Reason	Date	FR Cite
Withdrawn	03/30/00	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Tom Witzig  
 Phone: 202 205-5851  
 Fax: 202 720-5233  
 Email: tom\_\_ witzig@wdc.fsa.usda.gov  
**RIN:** 0560-AF40

### 95. AMENDMENTS TO THE REGULATIONS REGARDING SUSPENSION AND DEBARMENT FROM COMMODITY CREDIT CORPORATION PROGRAMS

**Priority:** Substantive, Nonsignificant  
**CFR Citation:** 7 CFR 1407

**Completed:**

Reason	Date	FR Cite
Final Action	12/02/99	64 FR 67470

**Regulatory Flexibility Analysis Required:** No

## USDA—FSA

## Completed Actions

**Government Levels Affected:** None  
**Agency Contact:** Tom Witzig  
 Phone: 202 205-5851  
 Fax: 202 720-5233  
 Email: tom\_\_ witzig@wdc.fsa.usda.gov  
**RIN:** 0560-AF47

**96. 1999-CROP PEANUTS NATIONAL POUNDAGE QUOTA, NATIONAL AVERAGE LOAN RATES AND MINIMUM EXPORT-EDIBLE SALES PRICE FOR ADDITIONAL PEANUTS**

**Priority:** Other Significant  
**CFR Citation:** 7 CFR 729; 7 CFR 1446; 7 CFR 1421

**Completed:**

Reason	Date	FR Cite
Final Action	03/27/00	65 FR 16117

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Tom Witzig  
 Phone: 202 205-5851  
 Fax: 202 720-5233  
 Email: tom\_\_ witzig@wdc.fsa.usda.gov  
**RIN:** 0560-AF48

**97. 1999-CROP MARKETING QUOTA AND PRICE SUPPORT LEVEL FOR FLUE-CURED TOBACCO**

**Priority:** Other Significant  
**CFR Citation:** 7 CFR 723; 7 CFR 1464  
**Completed:**

Reason	Date	FR Cite
Final Action	11/30/99	64 FR 66717

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Tom Witzig  
 Phone: 202 205-5851  
 Fax: 202 720-5233  
 Email: tom\_\_ witzig@wdc.fsa.usda.gov  
**RIN:** 0560-AF49

**98. DISASTER RESERVE FLOOD COMPENSATION PROGRAM**

**Priority:** Other Significant  
**CFR Citation:** 7 CFR 1439

**Completed:**

Reason	Date	FR Cite
Withdrawn	02/01/00	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None  
**Agency Contact:** Tom Witzig  
 Phone: 202 205-5851  
 Fax: 202 720-5233  
 Email: tom\_\_ witzig@wdc.fsa.usda.gov  
**RIN:** 0560-AF57

**99. DISASTER SET-ASIDE PROGRAM SECOND INSTALLMENT**

**Priority:** Economically Significant.  
 Major under 5 USC 801.  
**CFR Citation:** 7 CFR 1951

**Completed:**

Reason	Date	FR Cite
Withdrawn	02/14/00	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Tom Witzig  
 Phone: 202 205-5851  
 Fax: 202 720-5233  
 Email: tom\_\_ witzig@wdc.fsa.usda.gov  
**RIN:** 0560-AF59

**100. ACCELERATED PRODUCTION FLEXIBILITY CONTRACT PAYMENTS**

**Priority:** Substantive, Nonsignificant  
**CFR Citation:** 7 CFR 1412  
**Completed:**

Reason	Date	FR Cite
Withdrawn (Superseded by 0560-AG13)	02/14/00	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Tom Witzig  
 Phone: 202 205-5851  
 Fax: 202 720-5233  
 Email: tom\_\_ witzig@wdc.fsa.usda.gov  
**RIN:** 0560-AF65

**101. NONRECOURSE MARKETING ASSISTANCE LOANS FOR CRAMBE**

**Priority:** Substantive, Nonsignificant  
**CFR Citation:** 7 CFR 1421  
**Completed:**

Reason	Date	FR Cite
Withdrawn	02/28/00	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Tom Witzig  
 Phone: 202 205-5851  
 Fax: 202 720-5233  
 Email: tom\_\_ witzig@wdc.fsa.usda.gov  
**RIN:** 0560-AF68

**102. STREAMLINING OF REGULATIONS FOR REAL ESTATE APPRAISALS AND CHATTEL APPRAISALS**

**Priority:** Info./Admin./Other  
**CFR Citation:** 7 CFR 761; 7 CFR 1922  
**Completed:**

Reason	Date	FR Cite
Final Action	11/17/99	64 FR 62566
Final Action (Correction)	12/10/99	64 FR 64322

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Tom Witzig  
 Phone: 202 205-5851  
 Fax: 202 720-5233  
 Email: tom\_\_ witzig@wdc.fsa.usda.gov  
**RIN:** 0560-AF69

**103. MARKETING ASSISTANCE LOAN PROVISIONS FOR THE 1998 AND SUBSEQUENT CROP YEARS**

**Priority:** Economically Significant  
**CFR Citation:** 7 CFR 1421  
**Completed:**

Reason	Date	FR Cite
Withdrawn	03/30/00	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Tom Witzig  
 Phone: 202 205-5851  
 Fax: 202 720-5233  
 Email: tom\_\_ witzig@wdc.fsa.usda.gov  
**RIN:** 0560-AF76

**104. 1999 LIVESTOCK INDEMNITY PROGRAM**

**Priority:** Other Significant  
**CFR Citation:** 7 CFR 1439  
**Completed:**

Reason	Date	FR Cite
Interim Final Rule	11/01/99	64 FR 58766
Interim Final Rule Comment Period End	01/03/00	
Merged With 0560- AG14	02/01/00	



## USDA—FSA

## Completed Actions

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None**Agency Contact:** Tom Witzig

Phone: 202 205-5851

Fax: 202 720-5233

Email: tom\_\_witzig@wdc.fsa.usda.gov

**RIN:** 0560-AF82**105. • 1999 CROP AND MARKET LOSS ASSISTANCE****Priority:** Economically Significant. Major under 5 USC 801.**Legal Authority:** PL 106-78**CFR Citation:** 7 CFR 718; 7 CFR 723; 7 CFR 1400; 7 CFR 1412; 7 CFR 1421;

...

**Legal Deadline:** None**Abstract:** This final rule implements crop and market loss provisions of title VIII, subtitle A, of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2000 (Pub. L. 106-

78) (the 2000 Act) and the Omnibus Consolidated Appropriations Act, 2000 (Pub. L. 106-113). This action will implement the 1999 Crop Disaster Program, the Livestock Assistance and Livestock Indemnity Programs, Market Loss Assistance Programs for Dairy, Peanuts, and Tobacco, the Milk Price Support Program, Recourse Loan Programs for Mohair and Honey, advance production flexibility contract payments, revision of the Upland Cotton User Marketing Certificate Program, postponement of the Dairy Recourse Loan Program, and elimination of sugar marketing assessments through FY 2001. This rule will also amend the regulations to implement several other, related provisions, such as payment limitations and the transfer of flue-cured tobacco quota. For FY 2000, outlays total approximately \$2.787 billion, including the reduction in sugar marketing assessments, which actually represent reduced revenues. Incomes of producers, processors, and shippers will increase approximately \$3.040 -

\$3.240 billion. The difference between outlays, which are virtually all direct transfers to program participants, and income is made up of increased dairy prices and the product of increased cotton prices and cotton production.

**Timetable:**

Action	Date	FR Cite
Final Action	02/16/00	65 FR 7942

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None**Agency Contact:** Tom Witzig, Chief, Regulatory Review and Foreign Investment Disclosure Branch, Department of Agriculture, Farm Service Agency, Room 6734-S, 14th and Independence Avenue SW, Washington, DC 20250  
Phone: 202 205-5851  
Fax: 202 720-5233  
Email: tom\_\_witzig@wdc.fsa.usda.gov**RIN:** 0560-AG13**BILLING CODE** 3410-05-F

## DEPARTMENT OF AGRICULTURE (USDA)

## Prerule Stage

## Animal and Plant Health Inspection Service (APHIS)

**106. NOXIOUS WEEDS; WEED CATEGORIES AND PRIORITIES****Priority:** Other Significant**Legal Authority:** 7 USC 2803; 7 USC 2809; 7 CFR 2.22; 7 CFR 2.80; 7 CFR 371.2(c)**CFR Citation:** 7 CFR 360; 7 CFR 361**Legal Deadline:** None**Abstract:** We are soliciting public input on the manner in which Federal noxious weeds are characterized and categorized. Specifically, we are seeking public comment on a

categorization scheme for noxious weeds that would provide for varying levels of response to weeds based on their pest risk potential. The information gathered through this advance notice of proposed rulemaking will be used by the Animal and Plant Health Inspection Service as we consider regulatory changes and weigh alternative approaches to addressing the problem of noxious weeds.

**Timetable:**

Action	Date	FR Cite
ANPRM	03/20/00	65 FR 14927

Action	Date	FR Cite
ANPRM Comment Period End	05/19/00	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None**Agency Contact:** Polly Lehtonen, Botanist, BATS, PPQ, Department of Agriculture, Animal and Plant Health Inspection Service, Unit 133, 4700 River Road, Riverdale, MD 20737-1228  
Phone: 301 734-8896**RIN:** 0579-AB07

## DEPARTMENT OF AGRICULTURE (USDA)

## Proposed Rule Stage

## Animal and Plant Health Inspection Service (APHIS)

**107. ANIMAL WELFARE—STANDARDS FOR MARINE MAMMALS****Priority:** Other Significant**Legal Authority:** 7 USC 2131 to 2159**CFR Citation:** 9 CFR 3**Legal Deadline:** None**Abstract:** The Department regulates the treatment of certain marine mammals

under the Animal Welfare Act. The present standards for treatment of these animals have been in effect for over 10 years. During this time, advances have been made and new information has been developed with regard to the housing and care of marine mammals. The Department has conducted negotiated rulemaking (Reg Neg) and

published changes to the regulations based on the consensus reached by the negotiated rulemaking committee. In addition to identifying regulatory provisions for revision based on negotiated rulemaking, the Department is conducting separate rulemaking to establish standards governing "swim with the dolphins" (SWTD) programs.

USDA—APHIS

Proposed Rule Stage

**Timetable:**

Action	Date	FR Cite
ANPRM	07/23/93	58 FR 39458
ANPRM Comment Period End	10/06/93	
NPRM	01/23/95	60 FR 4383
NPRM Comment Period End	02/22/95	
NPRM Comment Period Extended Swim with the Dolphins (SWTD)	02/28/95	60 FR 10810
NPRM Comment Period Extended (SWTD)	03/09/95	60 FR 12908
NPRM Comment Period Extended (SWTD)	03/24/95	60 FR 15524
Notice, Establish a Committee (Reg Neg)	05/22/95	60 FR 27049
Correction (Reg Neg)	06/02/95	60 FR 28834
Final Rule Animal Welfare; Marine Mammals, Swim with the Dolphins	09/04/98	63 FR 47128
Applicability of Regulations	10/14/98	63 FR 55012
NPRM Animal Welfare; Marine Mammals	02/23/99	64 FR 8735
Suspension of Enforcement of September 1998 SWTD Final Rule	04/02/99	64 FR 15918
Suspension of Enforcement of September 1998 SWTD Final Rule Effective	04/02/99	
NPRM Comment Period End	05/26/99	
Suspension of Enforcement of September 1998 SWTD Final Rule Comment Period End	06/01/99	
Final Rule Animal Welfare; Marine Mammals (Projected)	07/00/00	
NPRM Swim with the Dolphins	09/00/00	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** None

**Agency Contact:** Dr. Barbara Kohn, Senior Staff Veterinarian, Animal Care, Department of Agriculture, Animal and Plant Health Inspection Service, Unit 84, 4700 River Road, Riverdale, MD 20737-1234  
Phone: 301 734-7833

Email: barbara.a.kohn@usda.gov

**RIN:** 0579-AA59

**108. PLANT PEST REGULATIONS; UPDATE OF CURRENT PROVISIONS**

**Priority:** Other Significant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 7 USC 149; 7 USC 150bb; 7 USC 150dd; 7 USC 150ee; 7 USC 150ff; 7 USC 154; 7 USC 159; 7 USC 160; 7 USC 162; 7 USC 2260; 21 USC 136; 21 USC 136a; 31 USC 9701

**CFR Citation:** 7 CFR 330

**Legal Deadline:** None

**Abstract:** APHIS is undertaking rulemaking to amend its plant pest regulations by: (1) Setting out the criteria that will be used by APHIS when considering whether an organism is a plant pest; (2) adding a permit category for organisms that would be released into the environment for purposes such as the biological control of weeds; (3) establishing a notification system that could be used in place of permits for the importation and interstate movement of regulated organisms; and (4) revising or amending existing portions of the regulations to clarify or update requirements, eliminate redundancy, and make the regulations easier for the public to use. This action will serve as a follow-up to the advance notice of proposed rulemaking that APHIS published in the Federal Register on September 27, 1996, to solicit input on the need for regulatory changes and alternative methods of addressing plant pest risk.

**Timetable:**

Action	Date	FR Cite
ANPRM	09/27/96	61 FR 50767
ANPRM Comment Period End	12/26/96	
NPRM	06/00/00	
NPRM Comment Period End	08/00/00	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Dr. Robert Flanders, Regulatory Coordination Specialist, Regulatory Coordination Staff, PPQ,

Department of Agriculture, Animal and Plant Health Inspection Service, Unit 141, 4700 River Road, Riverdale, MD 20737-1228

Phone: 301 734-5930

Email: robert.v.flanders@usda.gov

**RIN:** 0579-AA80

**109. KARNAL BUNT**

**Priority:** Other Significant

**Legal Authority:** 7 USC 147a; 7 USC 161 to 162; 7 USC 164 to 167; 7 USC 150bb; 7 USC 150dd to 150ff

**CFR Citation:** 7 CFR 301

**Legal Deadline:** None

**Abstract:** Karnal bunt is a fungal disease of wheat (*Triticum aestivum*), durum wheat (*Triticum durum*), and triticale (*Triticum aestivum* x *Secale cereale*), a hybrid of wheat and rye. In the absence of measures taken by the U.S. Department of Agriculture, the establishment of Karnal bunt in the United States would have significant consequences with regard to the export of wheat to international markets. Prior to March 8, 1996, Karnal bunt was not known to exist in the United States. Since March 8, 1996, Karnal bunt has been detected within several States. In response, we have established regulations that define regulated areas in certain States because of Karnal bunt, restrict the movement of certain articles from the regulated areas to prevent the spread of Karnal bunt, and provide compensation for certain growers, handlers, and other individuals in the regulated areas to mitigate losses and expenses incurred because of actions taken by the Secretary to prevent the spread of Karnal bunt. As part of a continuing Karnal bunt program, we anticipate that the regulations concerning regulated areas, movement restrictions, and compensation will be revised as more is known about the Karnal bunt situation in the United States.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	07/05/96	61 FR 35102
NPRM	08/02/96	61 FR 40354
NPRM Comment Period End	09/03/96	
Final Rule Classifying Regulated Areas, Movement of Regulated Articles	10/04/96	61 FR 52190

## USDA—APHIS

## Proposed Rule Stage

Action	Date	FR Cite
Interim Final Rule Change Classification of Regulated Areas	05/01/97	62 FR 23620
Final Rule Compensation for 1995-96 Crop Season	05/06/97	62 FR 24746
NPRM Compensation for 1996-97 Crop Season	07/11/97	62 FR 37159
NPRM Compensation for Wheat Seed and Straw, 1995-96 Crop Season	07/30/97	62 FR 40756
Interim Final Rule Additions to Regulated Areas	11/24/97	62 FR 62504
Interim Final Rule Approved Treatments	12/05/97	62 FR 64263
Final Rule Compensation for Wheat Seed and Straw, 1995-96 Crop Season	01/09/98	63 FR 1321
NPRM Movement from Regulated Areas	01/28/98	63 FR 4198
Final Rule Compensation for 1996-97 Crop Season	06/10/98	63 FR 31593
AIR as Final Rule Approved Treatments	09/04/98	63 FR 47127
Final Rule Movement from Regulated Areas	09/23/98	63 FR 50747
NPRM Compensation for the 1997-98 Crop Season	12/17/98	63 FR 69563
NPRM Reclassification of Regulated Areas	03/09/99	64 FR 11392
NPRM Reclassification of Regulated Areas Comment Period End	04/08/99	
Final Rule Reclassification of Regulated Areas	05/04/99	64 FR 23749
Final Rule Change Classification of Regulated Areas	06/02/99	64 FR 29541
Final Rule Compensation for the 1997-98 Crop Season	06/25/99	64 FR 34109
Proposed Rule Compensation for the 1999-2000 Crop Season	06/00/00	

**Regulatory Flexibility Analysis Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** State

**Agency Contact:** Dr. Vedpal Malik, National Karnal Bunt Coordinator, PPQ, Department of Agriculture, Animal and Plant Health Inspection Service, Unit 134, 4700 River Road, Riverdale, MD 20737-1236  
Phone: 301 734-6774

**RIN:** 0579-AA83

### 110. INTERSTATE MOVEMENT OF SHEEP AND GOATS FROM STATES THAT DO NOT QUARANTINE SCRAPIE-INFECTED AND SOURCE FLOCKS

**Priority:** Other Significant

**Legal Authority:** 21 USC 111 to 114; 21 USC 114a; 21 USC 115; 21 USC 117; 21 USC 120 to 121; 21 USC 123 to 126; 21 USC 134a to 134h

**CFR Citation:** 9 CFR 54; 9 CFR 79

**Legal Deadline:** None

**Abstract:** After soliciting public comment to help us develop options for potential changes to our regulations for the interstate movement of sheep and goats, we believe changes are necessary to improve control and limit the spread of scrapie, a serious disease of sheep and goats. We are undertaking rulemaking to correlate Federal interstate movement restrictions with the effectiveness of individual State scrapie programs.

#### Timetable:

Action	Date	FR Cite
ANPRM	01/26/98	63 FR 3671
ANPRM Comment Period End	03/27/98	
NPRM	11/30/99	64 FR 66791
NPRM Comment Period End	01/14/00	
NPRM (reproposal)	10/00/00	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Dr. Diane Sutton, Senior Staff Veterinarian, VS, National Animal Health Programs, Department of Agriculture, Animal and Plant Health Inspection Service, 4700 River Road, Riverdale, MD 20737-1231  
Phone: 301 734-7716

**RIN:** 0579-AA90

### 111. IMPORTATION OF FUJI APPLES FROM THE REPUBLIC OF KOREA

**Priority:** Other Significant

**Legal Authority:** 7 USC 150dd to 150ff; 7 USC 151 to 167; 7 USC 450; 7 USC 2803; 7 USC 2809; 21 USC 136 to 136a

**CFR Citation:** 7 CFR 319

**Legal Deadline:** None

**Abstract:** This action would amend the regulations that allow Fuji variety apples to be imported into the United States. It would allow Fuji variety apples to be imported from the Republic of Korea under a systems approach, including strict cultural control conditions, from certified orchards. This action is in response to a request from the Republic of Korea. We reviewed scientific studies and data on the Republic of Korea's pest management practices in export orchards and believe that the conditions to which the importation of Fuji variety apples from the Republic of Korea would be subject would reduce the risk of pest introduction to an insignificant level.

#### Timetable:

Action	Date	FR Cite
NPRM	05/00/00	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Donna L. West, Import Specialist, PIMT, PPQ, Department of Agriculture, Animal and Plant Health Inspection Service, Unit 140, 4700 River Road, Riverdale, MD 20737-1236

Phone: 301 734-6799  
Email: donna.l.west@usda.gov

**RIN:** 0579-AA93

### 112. IRRADIATION PHYTOSANITARY TREATMENT OF IMPORTED FRESH FRUITS AND VEGETABLES

**Priority:** Other Significant

**Legal Authority:** 7 USC 150dd to 150ff; 7 USC 151 to 167; 7 USC 450; 7 USC 2803; 7 USC 2809; 21 USC 136 to 136a

**CFR Citation:** 7 CFR 305; 7 CFR 319.56

**Legal Deadline:** None

**Abstract:** This rulemaking would establish irradiation as a new treatment alternative for the importation of certain fresh fruits and vegetables. Irradiation would be allowed as an

## USDA—APHIS

## Proposed Rule Stage

alternative to mitigation measures that are required to control certain species of fruit flies in a variety of imported fruits and vegetables. If this proposal is adopted, importers of certain fruits and vegetables will have an additional alternative to the currently approved treatments, such as fumigation and cold treatment, for treating their articles. No net societal gains and losses other than small price-related changes are expected from this proposed rule change.

**Timetable:**

Action	Date	FR Cite
Policy Statement for Irradiation Treatment of Fresh Fruits and Vegetables	05/15/98	63 FR 24433
NPRM	06/00/00	
NPRM Comment Period End	08/00/00	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None

**Agency Contact:** Donna L. West, Import Specialist, PIMT, PPQ, Department of Agriculture, Animal and Plant Health Inspection Service, Unit 140, 4700 River Road, Riverdale, MD 20737-1236  
Phone: 301 734-6799  
Email: donna.l.west@usda.gov

**RIN:** 0579-AA97**113. IMPORTATION OF SOLID WOOD PACKING MATERIAL****Priority:** Other Significant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 7 USC 150dd to 150ff; 7 USC 151 to 167; 7 USC 450; 7 USC 2803; 7 USC 2809; 21 USC 136; 21 USC 136a**CFR Citation:** 7 CFR 319.40**Legal Deadline:** None

**Abstract:** APHIS is undertaking rulemaking to strengthen restrictions on the importation of solid wood packing material (e.g., crates, dunnage, wooden spools, pallets, packing blocks) into the United States. Imported solid wood packing material (SWPM) has been linked to introductions of exotic plant pests such as the pine shoot beetle and the Asian longhorned beetle. These and other plant pests that could be carried by imported SWPM pose a serious threat to U.S. agriculture and to natural, cultivated, and urban forests. SWPM

accompanies nearly all types of imported commodities, from fruits and vegetables to machinery and electrical equipment.

**Timetable:**

Action	Date	FR Cite
ANPRM	01/20/99	64 FR 3049
ANPRM Comment Period End	03/22/99	
NPRM	01/00/01	

**Regulatory Flexibility Analysis****Required:** Undetermined**Government Levels Affected:**

Undetermined

**Agency Contact:** Dr. Robert Flanders, Regulatory Coordination Specialist, Regulatory Coordination Staff, PPQ, Department of Agriculture, Animal and Plant Health Inspection Service, Unit 141, 4700 River Road, Riverdale, MD 20737-1228  
Phone: 301 734-5930  
Email: robert.v.flanders@usda.gov

**RIN:** 0579-AA99**114. HORSE PROTECTION; HORSE INDUSTRY ORGANIZATIONS****Priority:** Other Significant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 15 USC 1823 to 1825; 15 USC 1828; 44 USC 3506**CFR Citation:** 9 CFR 11**Legal Deadline:** None

**Abstract:** This action would amend the horse protection regulations as follows: To require that horse industry organizations (HIO) officers meet standards of conduct similar to those required for a designated qualified person (DQP); to require that HIOs submit horse show schedules to APHIS at least 30 days prior to a show; to require APHIS approval of those portions of HIO rule books relevant to the Horse Protection Act; to require that HIO rule books define what constitutes a conflict of interest for HIO officers and DQPs; and to require that each HIO annually submit to APHIS a financial statement or otherwise demonstrate financial solvency.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/00	
NPRM Comment Period End	08/00/00	

**Regulatory Flexibility Analysis****Required:** Undetermined**Government Levels Affected:**

Undetermined

**Agency Contact:** Dr. Richard Watkins, Initiative Coordinator, Animal Care, Department of Agriculture, Animal and Plant Health Inspection Service, Unit 84, 4700 River Road, Riverdale, MD 20737-1234  
Phone: 301 734-4981

**RIN:** 0579-AB04**115. ● KARNAL BUNT; REGULATED AREAS****Priority:** Other Significant**Legal Authority:** 7 USC 147a; 7 USC 150bb; 7 USC 150dd; 7 USC 150ee; 7 USC 150ff; 7 USC 161; 7 USC 162; 7 USC 164 to 167**CFR Citation:** 7 CFR 301**Legal Deadline:** None

**Abstract:** We propose to amend the Karnal bunt regulations by removing from regulated areas any noninfected acreage that is more than 3 miles from a field or area associated with a bunted wheat kernel. This action would reduce the size of the areas that are regulated because of Karnal bunt in La Paz, Maricopa, and Pinal Counties in Arizona. We also propose to specify that mechanized harvesting equipment must be cleaned and disinfected before leaving a regulated area only if it has been used to harvest host crops that test positive for Karnal bunt. This action would relieve restrictions on the movement of mechanized harvesting equipment from all areas regulated because of Karnal bunt. We believe these actions would not result in a significant risk of spreading Karnal bunt.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/00	
NPRM Comment Period End	07/00/00	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** State**Additional Information:** Refer to APHIS Docket Number 99-077-1 for additional information.

**Agency Contact:** Dr. Vedpal Malik, National Karnal Bunt Coordinator, PPQ, Department of Agriculture, Animal and Plant Health Inspection Service, Unit 134, 4700 River Road, Riverdale, MD 20737-1236

## USDA—APHIS

## Proposed Rule Stage

Phone: 301 734-6774

RIN: 0579-AB14

## DEPARTMENT OF AGRICULTURE (USDA)

## Final Rule Stage

## Animal and Plant Health Inspection Service (APHIS)

**116. IMPORTATION OF LOGS, LUMBER, AND OTHER UNMANUFACTURED WOOD ARTICLES****Priority:** Other Significant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 7 USC 150dd; 7 USC 150ee; 7 USC 150ff; 7 USC 151 to 167; 7 USC 450; 7 USC 2803; 7 USC 2809; 21 USC 136; 21 USC 136a**CFR Citation:** 7 CFR 319**Legal Deadline:** None**Abstract:** This rule would amend the importation options for importing wood chips from Chile. We have determined that a surface pesticide treatment is effective in rendering large shipments of *Pinus radiata* wood chips from Chile free of plant pests and have approved a surface pesticide treatment for use on *Pinus radiata* wood chips from Chile. Therefore, this rule would allow the importation of *Pinus radiata* wood chips from Chile if the surfaces of the wood chips are treated with a pesticide approved by the Administrator. This rule would also allow solid wood packing materials used with nonregulated articles to be imported without an importer document.**Timetable:**

Action	Date	FR Cite
NPRM	07/28/98	63 FR 40193
NPRM Comment Period End	09/28/98	
Final Action	04/00/00	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None**Agency Contact:** Donna L. West, Import Specialist, PIMT, PPQ, Department of Agriculture, Animal and Plant Health Inspection Service, Unit 140, 4700 River Road, Riverdale, MD 20737-1236  
Phone: 301 734-6799

Email: donna.l.west@usda.gov

RIN: 0579-AA82

**117. VETERINARY SERVICES MULTI-YEAR USER FEES****Priority:** Other Significant**Legal Authority:** 5 USC 5542; 7 USC 1622; 19 USC 1306; 21 USC 102 to 105; 21 USC 111; 21 USC 114 to 114a; 21 USC 134a; 21 USC 134c; 21 USC 134d; 21 USC 134f; 21 USC 136 to 136a; 31 USC 3701; 31 USC 3716; 31 USC 3717; 31 USC 3719; 31 USC 3720A**CFR Citation:** 9 CFR 130**Legal Deadline:** None**Abstract:** This action would adjust the user fees charged for veterinary services we provide for import and export related activities for fiscal years 1998 through 2003. Costs to operate the Veterinary Services import-export program increase slightly from year to year due to increase in employee costs (i.e., cost of living, etc.) and changes in other operational costs. We have determined that the fees must be adjusted to reflect the anticipated cost of providing these services through fiscal year 2003.**Timetable:**

Action	Date	FR Cite
NPRM	09/30/99	64 FR 52680
NPRM Comment Period End	11/29/99	
Final Action	06/00/00	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None**Agency Contact:** Louise Lothery, Director, VS, Resource Management Support Staff, Department of Agriculture, Animal and Plant Health Inspection Service, Unit 44, 4700 River Road, Riverdale, MD 20737  
Phone: 301 734-7517

Donna Ford, Section Head, M&amp;B, Budget and Accounting Division, Department of Agriculture, Animal and Plant Health Inspection Service, Unit 54, 4700 River Road, Riverdale, MD 20737

Phone: 301 734-5785

RIN: 0579-AA87

**118. IMPORTATION OF GRAPEFRUIT, LEMONS, AND ORANGES FROM ARGENTINA****Priority:** Other Significant**Legal Authority:** 7 USC 150dd to 150ff; 7 USC 151 to 167; 7 USC 450; 7 USC 2803; 7 USC 2809; 21 USC 136; 21 USC 136a**CFR Citation:** 7 CFR 300; 7 CFR 319.28; 7 CFR 319.56**Legal Deadline:** None**Abstract:** APHIS is conducting rulemaking to amend the citrus fruit regulations by recognizing a citrus-growing area within Argentina as being free from citrus canker. Surveys conducted by Argentine plant health authorities in that area of Argentina since 1992 have shown the area to be free from citrus canker, and Argentine authorities are enforcing restrictions designed to protect the area from the introduction of that disease. This rulemaking would also amend the fruits and vegetables regulations to allow the importation of grapefruit, lemons, and oranges from the citrus canker-free area of Argentina under conditions designed to prevent the introduction into the United States of two other diseases of citrus, sweet orange scab and citrus black spot, and other plant pests. These changes would allow grapefruit, lemons, and oranges to be imported into the United States from Argentina subject to certain conditions.**Timetable:**

Action	Date	FR Cite
NPRM	08/12/98	63 FR 43117
NPRM Comment Period End	02/11/99	
Final Action	06/00/00	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None**Agency Contact:** Donna L. West, Import Specialist, PIMT, PPQ, Department of Agriculture, Animal and

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Plant Health Inspection Service, Unit  
140, 4700 River Road, Riverdale, MD  
20737-1236

Phone: 301 734-6799

Email: donna.l.west@usda.gov

RIN: 0579-AA92

### 119. IMPORTATION OF POULTRY FROM SINALOA AND SONORA, MEXICO

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 7 USC 147a; 42 USC 4331 to 4332; 7 USC 150ee; 7 USC 161 to 162; 7 USC 450; 19 USC 1306; 21 USC 111; 21 USC 114a; 21 USC 134a to 134c; 21 USC 134f; 21 USC 136; 21 USC 136a; 31 USC 9701

**CFR Citation:** 9 CFR 94.22

**Legal Deadline:** None

**Abstract:** This action would amend 9 CFR part 94 to allow for the importation of fresh (chilled or frozen) poultry meat from the States of Sinaloa and Sonora, Mexico, under certain conditions.

**Timetable:**

Action	Date	FR Cite
NPRM	05/21/99	64 FR 27711
NPRM Comment Period End	07/20/99	
Final Rule	04/00/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Dr. Michael David, Senior Staff Veterinarian, Animals Program, Department of Agriculture, Animal and Plant Health Inspection Service, Unit 39, National Center for Import and Export, VS, 4700 River Road, Riverdale, MD 20737  
Phone: 301 734-5034

RIN: 0579-AA96

### 120. RESTRICTIONS ON THE IMPORTATION OF RUMINANTS, MEAT AND MEAT PRODUCTS FROM RUMINANTS, AND CERTAIN OTHER RUMINANT PRODUCTS

**Priority:** Other Significant

**Legal Authority:** 7 USC 147a; 7 USC 150ee; 7 USC 1622; 19 USC 1306; 21 USC 102 to 105; 21 USC 111; 21 USC 114a; 21 USC 134a to 134d; 21 USC 134f; 21 USC 135 to 136; 21 USC 136a; 31 USC 9701

**CFR Citation:** 9 CFR 93.404(c); 9 CFR 94.18; 9 CFR 95.4(a); 9 CFR 96.2(b)

**Legal Deadline:** None

**Abstract:** This action relieves restrictions with regard to BSE on the importation from certain countries of ruminants and meat, meat products, and other edible products of ruminants, and relieves restrictions under certain conditions on the importation of meat from ruminants of the family Cervidae.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	05/00/00	
Final Action	To Be Determined	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Dr. Gary Colgrove, Chief Staff Veterinarian, National Center for Import and Export, VS, Department of Agriculture, Animal and Plant Health Inspection Service, Unit 38, 4700 River Road, Riverdale, MD 20737-1231

Phone: 301 734-8590

RIN: 0579-AA98

### 121. COMMERCIAL TRANSPORTATION OF EQUINES TO SLAUGHTER

**Priority:** Other Significant

**Legal Authority:** 7 USC 1901 note 1996 Farm Bill

**CFR Citation:** 9 CFR 88 (New)

**Legal Deadline:** None

**Abstract:** This action would establish regulations pertaining to the commercial transportation of equines to slaughter. The purpose of these regulations is to establish minimum standards to ensure the humane movement of equines to slaughter via commercial transportation. We are proposing these regulations to fulfill our responsibility under the 1996 Farm Bill to regulate the commercial transportation of equines to slaughter by persons regularly engaged in that activity within the United States.

**Timetable:**

Action	Date	FR Cite
NPRM	05/19/99	64 FR 27210
NPRM Comment Period End	07/19/99	
Final Rule	08/00/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Dr. Timothy R. Cordes, Senior Staff Veterinarian, National Animal Health Programs, VS, Department of Agriculture, Animal and Plant Health Inspection Service, Unit 43, 4700 River Road, Riverdale, MD 20737-1231

Phone: 301 734-3279

Email: timothy.r.cordes@usda.gov

RIN: 0579-AB06

### 122. PSEUDORABIES IN SWINE; PAYMENT OF INDEMNITY

**Priority:** Other Significant

**Legal Authority:** 21 USC 111 to 114a; 21 USC 120 to 121; 21 USC 125; 21 USC 134

**CFR Citation:** 9 CFR 52

**Legal Deadline:** None

**Abstract:** We are amending the animal health regulations to provide for the payment of indemnity by the United States Department of Agriculture for the voluntary depopulation of herds of swine known to be infected with pseudorabies.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	01/12/99	64 FR 2545
Interim Final Rule Comment Period End	04/16/99	
Interim Final Rule	04/00/00	

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:** None

**Agency Contact:** Dr. Arnold C. Taft, Senior Staff Veterinarian, National Animal Health Programs Staff, VS, Department of Agriculture, Animal and Plant Health Inspection Service, Unit 43, 4700 River Road, Riverdale, MD 20737-1231

Phone: 301 734-7708

RIN: 0579-AB10

### 123. IMPORTATION OF GYPSY MOTH HOST MATERIAL FROM CANADA

**Priority:** Other Significant

**Legal Authority:** 7 USC 150dd; 7 USC 150ee; 7 USC 150ff; 7 USC 151 to 167; 7 USC 450; 7 USC 2803; 7 USC 2809; 21 USC 136; 21 USC 136a

**CFR Citation:** 7 CFR 319

**Legal Deadline:** None

**Abstract:** We are establishing regulations for the importation into the

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United States of gypsy moth host materials from Canada due to infestations of gypsy moth in the Provinces of British Columbia, New Brunswick, Nova Scotia, Ontario, and Quebec. These regulations require trees without roots (e.g., Christmas trees), trees with roots, shrubs with roots and persistent woody stems, logs and pulpwood with bark attached, outdoor household articles, and mobile homes and their associated equipment to meet specified certification or destination requirements if they are intended to be moved into or through areas of the

United States that are not infested with gypsy moth. This action is necessary on an emergency basis to prevent the introduction of gypsy moth into noninfested areas of the United States.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	08/23/99	64 FR 45860
Interim Final Rule Effective	08/23/99	
Interim Final Rule Comment Period End	10/22/99	
Final Action	04/00/00	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None

**Agency Contact:** Ms. Coanne O'Hern, Operations Officer, Invasive Species and Pest Management, PPQ, Department of Agriculture, Animal and Plant Health Inspection Service, Unit 134, 4700 River Road, Riverdale, MD 20737-1236  
Phone: 301 734-8247

RIN: 0579-AB11

**DEPARTMENT OF AGRICULTURE (USDA)**  
**Animal and Plant Health Inspection Service (APHIS)**

## Long-Term Actions

**124. IMPORTATION OF CERTAIN EMBRYOS AND ANIMAL SEMEN****Priority:** Substantive, Nonsignificant**CFR Citation:** 9 CFR 98**Timetable:**

Action	Date	FR Cite
ANPRM	07/08/93	58 FR 36625
ANPRM Comment Period End	09/07/93	
NPRM	To Be Determined	

**Regulatory Flexibility Analysis Required:** Undetermined**Government Levels Affected:** Undetermined

**Agency Contact:** Roger Perkins  
Phone: 301 734-8419  
Email: roger.w.perkins@usda.gov

RIN: 0579-AA63

**125. ANIMAL WELFARE; INSPECTION, LICENSING, AND PROCUREMENT OF ANIMALS****Priority:** Other Significant**CFR Citation:** 9 CFR 1 and 2**Timetable:**

Action	Date	FR Cite
NPRM	To Be Determined	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None

**Agency Contact:** Barbara Kohn  
Phone: 301 734-7833  
Email: barbara.a.kohn@usda.gov

RIN: 0579-AA94

**126. REQUIRING TREATMENT OF SOLID WOOD PACKING MATERIAL FROM CHINA****Priority:** Economically Significant. Major under 5 USC 801.**CFR Citation:** 7 CFR 319.40**Timetable:**

Action	Date	FR Cite
Interim Final Rule	09/18/98	63 FR 50100
Interim Final Rule Effective	12/17/98	63 FR 69539
Interim Final Rule Comment Period End	02/16/99	
Next Action	Undetermined	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None

**Agency Contact:** Robert Flanders  
Phone: 301 734-5930  
Email: robert.v.flanders@usda.gov

RIN: 0579-AB01

**127. IMPORTATION OF UNMANUFACTURED WOOD ARTICLES FROM MEXICO****Priority:** Other Significant**CFR Citation:** 7 CFR 319.40**Timetable:**

Action	Date	FR Cite
NPRM	06/11/99	64 FR 31512
NPRM Comment Period End	08/10/99	
Final Rule	To Be Determined	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None

**Agency Contact:** Jane E. Levy  
Phone: 301 734-8295

RIN: 0579-AB02

**128. ESTABLISHMENT OF REGIONS IN THE EUROPEAN UNION FOR HOG CHOLERA, FOOT-AND-MOUTH DISEASE, AND SWINE VESICULAR DISEASE****Priority:** Other Significant**CFR Citation:** 9 CFR 92; 9 CFR 94; 9 CFR 98**Timetable:**

Action	Date	FR Cite
NPRM	06/25/99	64 FR 34155
NPRM Comment Period End	08/24/99	
Final Rule	To Be Determined	

**Regulatory Flexibility Analysis Required:** Undetermined**Government Levels Affected:** Undetermined

**Agency Contact:** Gary Colgrove  
Phone: 301 734-8590

RIN: 0579-AB03

**129. NOXIOUS WEEDS; RESTRICTIONS ON INTERSTATE MOVEMENT****Priority:** Other Significant**CFR Citation:** 7 CFR 360.300**Timetable:**

Action	Date	FR Cite
Interim Final Rule	07/29/99	64 FR 41007
Interim Final Rule Effective	07/29/99	

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## Long-Term Actions

Action	Date	FR Cite
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Interim Final Rule	09/27/99	
Comment Period End		

Next Action Undetermined

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Randy Westbrooks  
Phone: 910 648-6762

**RIN:** 0579-AB08

**130. AQUACULTURE; FARM-RAISED FIN FISH**

**Priority:** Other Significant

**CFR Citation:** Not Yet Determined

**Timetable:**

Action	Date	FR Cite
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ANPRM	05/04/99	64 FR 23795
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ANPRM Comment Period End	07/06/99	
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Next Action Undetermined

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Federalism:** Undetermined

**Agency Contact:** Otis Miller  
Phone: 301 734-7679

**RIN:** 0579-AB09

## DEPARTMENT OF AGRICULTURE (USDA)

## Completed Actions

## Animal and Plant Health Inspection Service (APHIS)

**131. IMPORTATION OF PORK AND PORK PRODUCTS FROM YUCATAN AND SONORA, MEXICO**

**Priority:** Other Significant

**CFR Citation:** 9 CFR 94

**Completed:**

Reason	Date	FR Cite
Final Rule	01/11/00	65 FR 1529

**Regulatory Flexibility Analysis Required:** Yes

**Government Levels Affected:** None

**Agency Contact:** John Cougill  
Phone: 301 734-3399  
Email: john.w.cougill@usda.gov

**RIN:** 0579-AA91

**132. IMPORTATION OF RHODODENDRON IN GROWING MEDIA**

**Priority:** Other Significant

**CFR Citation:** 7 CFR 319.37-8

**Completed:**

Reason	Date	FR Cite
Final Rule - Rhododendron	11/30/99	64 FR 66710

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Wayne Burnett  
Phone: 301 734-6553

**RIN:** 0579-AB00

**133. USER FEES—RATE REVISIONS FOR AGRICULTURAL QUARANTINE AND INSPECTION SERVICE**

**Priority:** Other Significant

**CFR Citation:** 7 CFR 354.3

**Completed:**

Reason	Date	FR Cite
Final Rule	11/16/99	64 FR 62089

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Donna Ford  
Phone: 301 734-5785

**RIN:** 0579-AB05

**134. • ANIMAL WELFARE; DRAFT POLICY ON TRAINING AND HANDLING OF POTENTIALLY DANGEROUS ANIMALS**

**Priority:** Other Significant

**Legal Authority:** 7 USC 2131-2159

**CFR Citation:** 9 CFR 2; 9 CFR 3

**Legal Deadline:** None

**Abstract:** This is a policy statement that will provide guidance to exhibitors and other regulated entities on how to comply with the regulations regarding training and handling of potentially dangerous animals (e.g., lions, tigers, bears, and elephants).

**Timetable:**

Action	Date	FR Cite
Policy Statement	02/18/00	65 FR 8318

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Additional Information:** Refer to APHIS Docket No. 97-001-4 for additional information.

**Agency Contact:** Dr. Barbara Kohn, Senior Staff Veterinarian, Animal Care, Department of Agriculture, Animal and Plant Health Inspection Service, Unit 84, 4700 River Road, Riverdale, MD 20737-1234  
Phone: 301 734-7833  
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**RIN:** 0579-AB12

**BILLING CODE** 3410-34-F



## DEPARTMENT OF AGRICULTURE (USDA)

Proposed Rule Stage

## Cooperative State Research, Education, and Extension Service (CSREES)

**135. HIGHER EDUCATION  
MULTICULTURAL SCHOLARS  
PROGRAM; ADMINISTRATIVE  
PROVISIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 7 USC 3152(b)(5); PL 103-111; PL 103-330; PL 104-37; PL 104-180**CFR Citation:** 7 CFR 3409**Legal Deadline:** None**Abstract:** Regulations will establish the procedures to be followed annually in the solicitation of proposals, the evaluation of such proposals, and the award of project grants under the Multicultural Scholars Program.**Timetable:**

Action	Date	FR Cite
NPRM	06/00/00	
NPRM Comment Period End	08/00/00	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Phillip A. Carter, Policy Advisor, Policy and Program Liaison Staff, Department of Agriculture, Cooperative State Research, Education, and Extension Service, MS 2299, 1400 Independence Avenue SW, Washington, DC 20250-2299

Phone: 202 720-9181

Email: pcarter@reeusda.gov

**RIN:** 0524-AA09**136. HISPANIC-SERVING  
INSTITUTIONS EDUCATION GRANTS  
PROGRAM ADMINISTRATIVE  
PROVISIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 7 USC 3241**CFR Citation:** 7 CFR 3412**Legal Deadline:** None**Abstract:** Regulation will establish the procedures to be followed annually in the solicitation of proposals, the evaluation of such proposals, and the award of project grants under the Hispanic Education Partnership Grants Program.**Timetable:**

Action	Date	FR Cite
NPRM	06/00/00	
NPRM Comment Period End	08/00/00	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Phillip A. Carter, Policy Advisor, Policy and Program Liaison Staff, Department of Agriculture, Cooperative State Research, Education, and Extension Service, MS 2299, 1400 Independence Avenue SW, Washington, DC 20250-2299

Phone: 202 720-9181

Email: pcarter@reeusda.gov

**RIN:** 0524-AA17**137. COMMUNITY FOOD PROJECTS  
ADMINISTRATIVE PROVISIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 7 USC 2034**CFR Citation:** 7 CFR 3416**Legal Deadline:** None**Abstract:** This regulation proposes to establish administrative provisions for the Community Food Projects to institute procedures to be followed in preparing proposals, to outline requirements which grant recipients must meet, to provide instructions on how to apply for a grant, and to provide general information about post-award administration of grants under the program.**Timetable:**

Action	Date	FR Cite
NPRM	04/00/00	
NPRM Comment Period End	06/00/00	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Phillip A. Carter, Policy Advisor, Policy and Program Liaison Staff, Department of Agriculture, Cooperative State Research, Education, and Extension Service, MS 2299, 1400 Independence Avenue SW, Washington, DC 20250-2299

Phone: 202 720-9181

Email: pcarter@reeusda.gov

**RIN:** 0524-AA19**138. SMALL BUSINESS INNOVATION  
RESEARCH PROGRAM  
ADMINISTRATIVE PROVISIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 15 USC 638**CFR Citation:** 7 CFR 3403**Legal Deadline:** None**Abstract:** The Cooperative State Research Education and Extension Service (CSREES) proposes to modify the Small Business Innovation Research Program Administrative Provisions by changing the language of when a Phase I awardee is eligible to apply for a Phase II award. Currently a Phase I awardee may apply for a Phase II award in the next fiscal year funding cycle or the second fiscal year funding cycle. CSREES intends to revise this language to allow Phase I awardees to apply in either of the two fiscal years following the end of the initial project period; this does not include any no-cost extensions of time. This revision will allow an 18-month Phase I awardee the same privileges as that of a 6-month Phase I awardee. Privileges as used herein refers to the opportunity for a no-cost extension of time, if necessary, and two options of when a Phase I awardee may apply for a Phase II award.**Timetable:**

Action	Date	FR Cite
NPRM	06/00/00	
NPRM Comment Period End	08/00/00	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Phillip A. Carter, Policy Advisor, Policy and Program Liaison Staff, Department of Agriculture, Cooperative State Research, Education, and Extension Service, MS 2299, 1400 Independence Avenue SW, Washington, DC 20250-2299

Phone: 202 720-9181

Email: pcarter@reeusda.gov

**RIN:** 0524-AA20

USDA—CSREES

Proposed Rule Stage

**139. BIOTECHNOLOGY RISK ASSESSMENT RESEARCH GRANTS PROGRAM ADMINISTRATIVE PROVISIONS**

**Priority:** Substantive, Nonsignificant  
**Legal Authority:** 7 USC 5921; 5 USC 301  
**CFR Citation:** 7 CFR 3415  
**Legal Deadline:** None

**Abstract:** The Cooperative State Research, Education, and Extension Service (CSREES) proposes to revise and modify the Biotechnology Risk Assessment Research Grants Program Administrative Provisions. The revision and modification updates 7 CFR part 3415 to delete references to the Office of Agricultural Biotechnology and the Agricultural Biotechnology Research Advisory Committee clarifying the requirements for the pre-proposals, clarifying what is to be included in the 15-page limit on proposals, and revising the language regarding conflicts of interests (3415.12).

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/00	
NPRM Comment Period End	08/00/00	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No  
**Government Levels Affected:** None  
**Agency Contact:** Phillip A. Carter, Policy Advisor, Policy and Program Liaison Staff, Department of Agriculture, Cooperative State Research, Education, and Extension Service, MS 2299, 1400 Independence Avenue SW, Washington, DC 20250-2299  
 Phone: 202 720-9181  
 Email: pcarter@reeusda.gov  
**RIN:** 0524-AA21

**140. NATIONAL RESEARCH INITIATIVE COMPETITIVE GRANTS PROGRAM ADMINISTRATIVE PROVISIONS**

**Priority:** Other Significant  
**Legal Authority:** 7 USC 450i(b)  
**CFR Citation:** 7 CFR 3411  
**Legal Deadline:** None  
**Abstract:** The Cooperative State Research, Education, and Extension Service (CSREES) proposes to revise and modify the National Research Initiative Competitive Grants Program administrative provisions. The revision and modification will update 7 CFR

3411 to reflect changes in the Agricultural Research, Extension, and Education Reform Act of 1998 (Pub. L. 105-185), and to comply with a recent OIG audit. Specifically, the equipment grant eligibility requirements need to be revised, along with other administrative changes. In addition, CSREES plans to comply with the proposed plain language requirements set out in the Presidential Memo dated June 1, 1998.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/00	
NPRM Comment Period End	08/00/00	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No  
**Government Levels Affected:** None  
**Agency Contact:** Phillip A. Carter, Policy Advisor, Policy and Program Liaison Staff, Department of Agriculture, Cooperative State Research, Education, and Extension Service, MS 2299, 1400 Independence Avenue SW, Washington, DC 20250-2299  
 Phone: 202 720-9181  
 Email: pcarter@reeusda.gov  
**RIN:** 0524-AA22

DEPARTMENT OF AGRICULTURE (USDA)

Final Rule Stage

Cooperative State Research, Education, and Extension Service (CSREES)

**141. MATCHING FUNDS REQUIREMENT FOR FORMULA FUNDS FOR AGRICULTURAL RESEARCH AND EXTENSION ACTIVITIES AT 1890 LAND GRANT INSTITUTIONS AND TUSKEGEE UNIVERSITY**

**Priority:** Other Significant  
**Legal Authority:** 7 USC 3222(d)  
**CFR Citation:** 7 CFR 3419  
**Legal Deadline:** None

**Abstract:** The Cooperative State Research, Education, and Extension Service (CSREES) rule implements section 226 of the Agricultural Research, Extension, and Education Reform Act of 1998 (AREERA) (7 U.S.C.

7612(c)), which amends subtitle G of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (NARETPA). This section requires matching funds from non-Federal sources for formula funds authorized under sections 1444 and 1445 of NAREPTA for agricultural research and extension activities at the 1890 land-grant institutions and Tuskegee University.

**Timetable:**

Action	Date	FR Cite
NPRM	08/09/99	64 FR 42575
NPRM Comment Period End	09/03/99	
Final Action	04/00/00	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No  
**Government Levels Affected:** None  
**Agency Contact:** Phillip A. Carter, Policy Advisor, Policy and Program Liaison Staff, Department of Agriculture, Cooperative State Research, Education, and Extension Service, MS 2299, 1400 Independence Avenue SW, Washington, DC 20250-2299  
 Phone: 202 720-9181  
 Email: pcarter@reeusda.gov  
**RIN:** 0524-AA24

## DEPARTMENT OF AGRICULTURE (USDA)

## Completed Actions

## Cooperative State Research, Education, and Extension Service (CSREES)

## 142. STAKEHOLDER INPUT TO RESEARCH, EDUCATION, AND EXTENSION FORMULA FUNDS

Priority: Other Significant

CFR Citation: 7 CFR 3418

## Completed:

Reason	Date	FR Cite
Final Action	02/08/00	65 FR 5993
Final Action Effective	02/08/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Phillip A. Carter  
Phone: 202 720-9181  
Email: pcarter@reeusda.govRIN: 0524-AA23  
BILLING CODE 3410-22-F

## DEPARTMENT OF AGRICULTURE (USDA)

## Proposed Rule Stage

## Rural Housing Service (RHS)

## 143. CIVIL RIGHTS COMPLIANCE REQUIREMENTS—1901-E TO 1940-D

Priority: Other Significant

Legal Authority: PL 100-259; EO 12898; PL 88-352; 42 USC 2000d et seq; PL 90-284; 42 USC 3601 to 3619; PL 100-430; PL 92-318; 20 USC 1681 et seq; PL 93-112; 29 USC 794; PL 94-135; 42 USC 6101 et seq; PL 94-239; 15 USC 1601 et seq; EO 11246

CFR Citation: 7 CFR 15; 12 CFR 202; 28 CFR 42; 45 CFR 90; 41 CFR 60 to 64; 24 CFR 14; 7 CFR 1940 subpart D; 7 CFR 1901 subpart E

Legal Deadline: None

**Abstract:** This ruling will effectuate a comprehensive civil rights regulation implementing the following laws: The Equal Credit Opportunity Act (ECOA); title VI of the Civil Rights Act of 1964; title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988 (The Fair Housing Act); section 504 Federally Conducted and Federally Assisted Programs; title IX of the Education Amendments of 1972; Age Discrimination Act of 1975; and Executive Orders 11246 and 12898 (Environmental Justice). The revised regulations will provide detailed guidelines for field offices for improved enforcement and compliance with these laws which heavily impact the Agency's programs. Mechanisms for monitoring compliance by field offices and recipients of Federal financial assistance at all levels will decrease the Agency's vulnerability that exist due to noncompliance with recently enacted Civil Rights legislation.

## Timetable:

Action	Date	FR Cite
NPRM	10/00/00	
NPRM Comment Period End	12/00/00	

Regulatory Flexibility Analysis Required: Undetermined

## Government Levels Affected:

Undetermined

**Procurement:** This is a procurement-related action for which there is no statutory requirement. There is a paperwork burden associated with this action.

**Agency Contact:** Carlton L. Lewis, Chief, Program Compliance Branch, Department of Agriculture, Rural Housing Service, MS 0703, 1400 Independence Avenue SW, Washington, DC 20250  
Phone: 202 692-0097  
Fax: 202 692-0107  
Email: cllewis@rdmail.rural.usda.gov

RIN: 0575-AA83

## 144. ENVIRONMENTAL PROGRAM STREAMLINE ENVIRONMENTAL PROCESS

Priority: Other Significant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: PL 96-510; PL 94-580; PL 94-469; PL 92-500; PL 91-190

CFR Citation: 40 CFR 300; 40 CFR 260; 40 CFR 700; 40 CFR 400; 7 CFR 1940

Legal Deadline: None

**Abstract:** The objective of this action is to replace the existing environmental regulation and to implement changes to streamline the environmental process for the Rural Housing Service (RHS) and the Rural Business Service (RBS); to include changes necessitated by amendments to various environmental laws, Executive orders, and regulations applicable to the two agencies; to clarify wording; correct inconsistencies; and where applicable, to delete obsolete material and update references in other program regulations. This revision represents an important

contribution to the Department's efforts to streamline its operations and realize more efficient use of staff time. There are a number of Federal environmental statutes which govern the management of hazardous substances, materials, and wastes. At the present time, RHS and RBS do not have implementing regulations for these Federal statutes. The development of implementation procedures for managing hazardous substances is necessary to insure consistency in compliance with Federal, as well as State, environmental statutes; to develop appropriate "due diligence" policies to ensure that the market value of real estate being considered as security for financial assistance adequately reflects potential contamination from hazardous waste; and to minimize the Agencies' liability with regard to environmental cleanups of hazardous waste in loan processing/servicing and property management activities.

## Timetable:

Action	Date	FR Cite
NPRM	10/00/00	
NPRM Comment Period End	12/00/00	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: None

**Agency Contact:** Susan Wieferich, Senior Environmental Protection Specialist, Program Support Service, Department of Agriculture, Rural Housing Service, Room 6900/Stop 0761, 1400 Independence Avenue SW, Washington, DC 20250  
Phone: 202 720-9647

RIN: 0575-AB98

## 145. SERVICING COMMUNITY PROGRAMS LOANS AND GRANTS

Priority: Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing

## USDA—RHS

## Proposed Rule Stage

Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 5 USC 301; 7 USC 1989; 31 USC 3711; 42 USC 1480

**CFR Citation:** 7 CFR 3570 subpart E; 7 CFR 1951 subpart E; 7 CFR 1951 subpart O; 7 CFR 1955 subpart A; 7 CFR 1955 subpart B; 7 CFR 1955 subpart C; 7 CFR 1956 subpart C; 7 CFR 1951 subpart F

**Legal Deadline:** None

**Abstract:** The Agency is combining seven regulations affecting the servicing of Community Program loans and grants into one regulation. Justification: This is part of the Reinventing Government Initiative. There are no policy or procedural changes. The published regulation will be simplified by removing the administrative portion and will only contain the information affecting the public.

**Timetable:**

Action	Date	FR Cite
NPRM	07/00/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Beth Jones, Loan Specialist, Community Programs Division, Department of Agriculture, Rural Housing Service, Room 0183/Stop 0787, 1400 Independence Avenue SW, Washington, DC 20250  
Phone: 202 720-1498  
Email: epjones@rdmail.rural.usda.gov

**RIN:** 0575-AC12

**146. MULTI-FAMILY HOUSING REINVENTION**

**Priority:** Other Significant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

**Legal Authority:** 5 USC 301; 7 USC 1989; 42 USC 1475; 42 USC 1479; 42 USC 1480; 42 USC 1481; 42 USC 1484; 42 USC 1485; 42 USC 1486; 42 USC 1490a

**CFR Citation:** 7 CFR 1806 subpart A; 7 CFR 1930 subpart C; 7 CFR 1944 subpart D; 7 CFR 1944 subpart E; 7 CFR 1951 subpart C; 7 CFR 1951 subpart D; 7 CFR 1951 subpart K; 7 CFR 1951 subpart N; 7 CFR 1955

subpart A; 7 CFR 1955 subpart B; 7 CFR 1955 subpart C; 7 CFR 1956 subpart B; 7 CFR 1965 subpart B; 7 CFR 1965 subpart E

**Legal Deadline:** None

**Abstract:** Reinvention of the Rural Housing Service's Multi-Family Housing Programs will consolidate regulations pertaining to section 515 Rural Rental Housing, section 514 Farm Labor Housing Loans, section 516 Farm Labor Housing Grants, and section 521 Rental Assistance Payments. Fourteen published regulations will be reduced to one regulation and handbooks for program administration. This will simplify loan origination and portfolio management for applicants, borrowers, and housing operators as well as Rural Development field staff. This will also provide flexibility for program modifications to reflect current and foreseeable changes. It will also reduce regulations that address solely internal Agency program administration. Finally, the regulation will be more customer friendly and responsive to the needs of the public.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/00	
NPRM Comment	02/00/01	
Period End		

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Joyce Allen, Special Assistant to Deputy Administrator, Multi-Family Housing Processing Div., Department of Agriculture, Rural Housing Service, 1400 Independence Avenue SW, Washington, DC 20250  
Phone: 202 690-4499  
Email: jallen@rdmail.rural.usda.gov

Patrick Sheridan, Assistant Deputy Administrator, MFH, Department of Agriculture, Rural Housing Service, Room 1263/Stop 0782, 1400 Independence Avenue SW, Washington, DC 20250  
Phone: 202 720-1609

**RIN:** 0575-AC13

**147. SELF-HELP TECHNICAL ASSISTANCE GRANTS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 301; 42 USC 1480

**CFR Citation:** 7 CFR 1944; 7 CFR 3551

**Legal Deadline:** None

**Abstract:** The regulations for 7 CFR 1944-I "Self-Help Technical Assistance Grants" is being rewritten and renumbered to 7 CFR 3551. Changes are proposed for clarification of policy and procedures relative to the: 1) Application procedure, which is changing to an annual competitive grant process; 2) labor contribution of participating families; 3) monitoring of grantee progress through Self-Help Automated Reporting and Evaluation System (SHARES); and 4) define the roles of Technical and Management Assistance Contractors.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/00	
NPRM Comment	08/00/00	
Period End		

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Procurement:** This is a procurement-related action for which there is no statutory requirement. There is a paperwork burden associated with this action.

**Agency Contact:** Norma Lopez, Senior Loan Specialist, Department of Agriculture, Rural Housing Service, Room 2209/Stop 0783, 1400 Independence Avenue SW, Washington, DC 20250-0783  
Phone: 202 720-1474  
Fax: 202 720-2232  
Email: nlopez@rdmail.rural.usda.gov

**RIN:** 0575-AC20

**148. • RURAL DEVELOPMENT LOAN PAYMENT AND COLLECTION PROCEDURES**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 301; 7 USC 1932 Note; 7 USC 1989; 42 USC 1480

**CFR Citation:** 7 CFR 1902 subpart C; 7 CFR 1951 subpart A; 7 CFR 1951 subpart B; 7 CFR 1980 subpart E

**Legal Deadline:** None

**Abstract:** The Rural Housing Service, Rural Business-Cooperative Service, Rural Utilities Service, and Farm Service Agency are proposing to revise their internal loan payment and collections regulations. This action is necessary since existing regulations are

## USDA—RHS

## Proposed Rule Stage

obsolete and do not accurately reflect the current payment and collection methodologies employed by the agencies. The intended effect is to simplify and update the regulations; update internal control procedures for safeguarding collections; remove references to the Concentration Banking System, which was eliminated in November 1997; and to add procedures for new electronic payment methods that are currently in use by the agencies (Preauthorized Debits, Fedwire, Customer Initiated Payments, etc.).

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/00	
NPRM Comment Period End	06/00/00	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None

**Agency Contact:** Mark Huntley, Accountant, Department of Agriculture, Rural Housing Service, FC-33, P.O. Box 200011, St. Louis, MO 63120  
Phone: 314 539-6063  
Fax: 314 539-2764  
Email: mark.huntley@stl.rural.usda.gov

**RIN:** 0575-AC22**149. • COMMUNITY PROGRAMS GUARANTEED LOAN PROGRAM****Priority:** Other Significant**Legal Authority:** 5 USC 301; 7 USC 1989; 42 USC 1480**CFR Citation:** 7 CFR 3575 subpart A**Legal Deadline:** None

**Abstract:** Community Programs direct loan program includes a graduation requirement. In order to better facilitate this mission, we are making the graduation of community facility (CF) direct loan through a CF guaranteed loan an eligible purpose in RD Instruction 3575-A, section 3575.24(b). Lenders have expressed an interest in this change in order to better facilitate the capacity to graduate CF direct loans.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/00	
NPRM Comment Period End	02/00/01	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Steve Wetherbee, Loan Specialist, Department of Agriculture, Rural Housing Service, Room 0174/Stop 0787, 1400 Independence Avenue SW, Washington, DC 20250-0787  
Phone: 202 720-1503  
Email: swetherb@rdmail.rural.usda.gov

**RIN:** 0575-AC23**150. • OPERATING ASSISTANCE FOR MIGRANT FARMWORKER PROJECTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 7 USC 1989; 42 USC 1484; 42 USC 1486; 42 USC 1490a; PL 105-276, sec. 599c**CFR Citation:** 7 CFR 1944 subpart D; 7 CFR 1930 subpart C**Legal Deadline:** None

**Abstract:** Regulation implements the provisions of Public Law 105-276, enacted October 21, 1998, which amended section 521 of the Housing Act of 1949. This amendment provides that, for migrant farmworker housing projects financed under section 514 or 516 of the Housing Act, the Secretary may, at the request of the owner, permit amounts provided for rental assistance under section 521 to be used to provide assistance for the costs of operating the project.

**Timetable:**

Action	Date	FR Cite
NPRM	05/00/00	
NPRM Comment Period End	07/00/00	
Final Action	12/00/00	
Final Action Effective	01/00/01	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Linda Armour, Senior Loan Officer, Multi-Family Housing Processing Division, Department of Agriculture, Rural Housing Service, Stop 0781, 1400 Independence Avenue SW, Washington, DC 20250  
Phone: 202 720-1753  
Fax: 202 690-3444  
Email: larmour@rdmail.rural.usda.gov

**RIN:** 0575-AC24

## DEPARTMENT OF AGRICULTURE (USDA)

## Final Rule Stage

## Rural Housing Service (RHS)

**151. DENYING CREDIT TO APPLICANTS DELINQUENT ON ANY FEDERAL DEBT****Priority:** Substantive, Nonsignificant**Legal Authority:** 7 USC 1989; 42 USC 1480; 5 USC 301

**CFR Citation:** 7 CFR 1942 subpart C; 7 CFR 1944 subpart E; 7 CFR 1948 subpart B; 7 CFR 1951 subpart E; 7 CFR 1942 subpart A; 7 CFR 1942 subpart G; 7 CFR 1944 subpart D; 7 CFR 1980 subpart E

**Legal Deadline:** None**Abstract:** OMB Circular A-129, dated November 25, 1988, recommends that

the processing of applications for Federal direct loans be suspended and requires private lenders to suspend processing of loan guarantee applications when an applicant is found to be delinquent on a Federal debt. The Federal Debt Collections Procedures Act of 1990 also requires that credit be denied if an outstanding judgment lien obtained by the United States in a Federal Court (other than the United States Tax Court), which has been recorded, is found.

**Timetable:**

Action	Date	FR Cite
NPRM	05/04/94	59 FR 23018
NPRM Comment Period End	07/05/94	
Final Action	12/00/00	

**Regulatory Flexibility Analysis****Required:** Yes**Small Entities Affected:** Businesses, Organizations**Government Levels Affected:** Federal, Local, Tribal**Agency Contact:** Sherie Hinton Henry, Director, Financial Management

USDA—RHS

Final Rule Stage

Division, Department of Agriculture,  
Rural Housing Service, MS 0707, 1400  
Independence Avenue SW,  
Washington, DC 20250  
Phone: 202 692-0080  
Fax: 202 692-0088  
Email: shenry@rdmail.rural.usda.gov  
RIN: 0575-AA66

**152. REENGINEERING AND REINVENTION OF THE DIRECT SECTION 502 AND 504 SINGLE-FAMILY HOUSING PROGRAM**

**Priority:** Other Significant. Major under 5 USC 801.

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 5 USC 301; 7 USC 1989; 42 USC 1480; 31 USC 3700

**CFR Citation:** 7 CFR 1806; 7 CFR 1900; 7 CFR 1944; 7 CFR 1951; 7 CFR 1955; 7 CFR 1956; 7 CFR 1965; 7 CFR 3550

**Legal Deadline:** None

**Abstract:** Rural Housing Service (RHS) has purchased a state-of-the-art dedicated loan origination servicing system (DLOSS) which includes escrow capability. To conform to this new system, RHS proposes to make further amendments to the regulations to allow the Agency to provide escrow services to Single-Family Housing borrowers, which follow industry standards. In addition, the Agency proposes to amend its regulations to conform to processes and techniques currently utilized by the private sector.

**Timetable:**

Action	Date	FR Cite
NPRM	04/08/96	61 FR 15395
NPRM Comment	06/07/96	
Period End		

Action	Date	FR Cite
Interim Final Rule	11/22/96	61 FR 59762
Final Action	09/00/00	
Final Action Effective	10/00/00	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Procurement:** This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

**Agency Contact:** Betsy Fletcher, Chief, Loan Origination Branch, Department of Agriculture, Rural Housing Service, Stop 0783, 1400 Independence Avenue SW, Washington, DC 20250  
Phone: 202 720-1486

RIN: 0575-AB99

**DEPARTMENT OF AGRICULTURE (USDA)  
Rural Housing Service (RHS)**

Long-Term Actions

**153. NATIONAL FLOOD INSURANCE REGULATIONS**

**Priority:** Other Significant

**CFR Citation:** 7 CFR 1926 subpart B; 7 CFR 1806 subpart B

**Timetable:**

Action	Date	FR Cite
NPRM	To Be	Determined

**Regulatory Flexibility Analysis Required:** Yes

**Government Levels Affected:** Federal, State, Local, Tribal

**Agency Contact:** Baxter Hill

Phone: 202 720-1499  
RIN: 0575-AC07

**154. GUARANTEED RURAL HOUSING LOAN SINGLE FAMILY**

**Priority:** Other Significant

**CFR Citation:** 7 CFR 3555; 7 CFR 1980 subpart D

**Timetable:**

Action	Date	FR Cite
NPRM	12/15/99	64 FR 70124
NPRM Comment	02/14/00	
Period End		
Next Action	Undetermined	

**Regulatory Flexibility Analysis Required:** Yes

**Government Levels Affected:** State, Local

**Agency Contact:** Roger Glendenning  
Phone: 202 720-1480  
Fax: 202 205-2476  
Email: rglendenning@rdmail.rural.usda.gov

RIN: 0575-AC18

BILLING CODE 3410-07-F

**DEPARTMENT OF AGRICULTURE (USDA)  
Federal Crop Insurance Corporation (FCIC)**

Proposed Rule Stage

**155. GENERAL ADMINISTRATIVE REGULATIONS; HIGH RISK LAND REGULATIONS**

**Priority:** Other Significant

**Legal Authority:** 7 USC 1506(l)

**CFR Citation:** 7 CFR 400

**Legal Deadline:** None

**Abstract:** The Federal Crop Insurance Corporation adds new regulations to be known as High Risk Land Regulations.

The intended effect of this rule is to set forth rates apart from those prescribed by standard actuarial tables and coverage procedures for acreage on which actual or expected frequency and severity of loss does not reasonably conform to standard insurance coverage and rating determination methods.

**Timetable:**

Action	Date	FR Cite
NPRM	05/00/00	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Kenneth D. Ackerman, Manager, Department of Agriculture, Federal Crop Insurance Corporation, MS 0801, 1400

## USDA—FCIC

## Proposed Rule Stage

Independence Avenue SW,  
Washington, DC 20250-0801  
Phone: 202 690-2803  
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RIN: 0563-AA98

### 156. GENERAL ADMINISTRATIVE REGULATIONS; SUBPART D; APPLICATION FOR CROP INSURANCE

**Priority:** Other Significant

**Legal Authority:** 7 USC 1506(l)

**CFR Citation:** 7 CFR 400

**Legal Deadline:** None

**Abstract:** The Federal Crop Insurance Corporation amends the General Administrative Regulations by revising the "Collection of Information and Data (Privacy Act)" statement found on the general crop insurance application. The proposed amendments to the statement include defining "substantial beneficial interest" as those persons whose interest in the policyholder is in excess of 10 percent. Other minor changes have been made to more fully comply with provisions of the Privacy Act.

**Timetable:**

Action	Date	FR Cite
NPRM	05/00/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Kenneth D. Ackerman, Manager, Department of Agriculture, Federal Crop Insurance Corporation, MS 0801, 1400 Independence Avenue SW, Washington, DC 20250-0801  
Phone: 202 690-2803  
Fax: 202 690-2818

RIN: 0563-AB00

### 157. COMMON CROP INSURANCE REGULATIONS; SMALL GRAINS CROP INSURANCE PROVISIONS AND WHEAT WINTER COVERAGE ENDORSEMENT

**Priority:** Other Significant

**Legal Authority:** 7 USC 1506(l); 7 USC 1506(p)

**CFR Citation:** 7 CFR 457.101; 7 CFR 457.102

**Legal Deadline:** None

**Abstract:** The Federal Crop Insurance Corporation proposes to revise and

clarify existing policy provisions, establish winter wheat coverage in certain South Dakota and Wisconsin counties, reduce coverage under Option B of the Wheat Winter Coverage Endorsement, and to require insurance on spring wheat planted to replace damaged winter wheat covered under the Wheat Winter Coverage Endorsement.

**Timetable:**

Action	Date	FR Cite
NPRM	05/00/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Kenneth D. Ackerman, Manager, Department of Agriculture, Federal Crop Insurance Corporation, MS 0801, 1400 Independence Avenue SW, Washington, DC 20250-0801  
Phone: 202 690-2803  
Fax: 202 690-2818

Diana Moslak, Regulatory Review Officer, Department of Agriculture, Federal Crop Insurance Corporation, 1400 Independence Avenue SW, Washington, DC 20250-0801  
Phone: 202 720-2832

RIN: 0563-AB63

### 158. COMMON CROP INSURANCE REGULATIONS; COARSE GRAINS CROP INSURANCE PROVISIONS

**Priority:** Other Significant

**Legal Authority:** 7 USC 1506(l); 7 USC 1506(p)

**CFR Citation:** 7 CFR 457.113

**Legal Deadline:** None

**Abstract:** The Federal Crop Insurance Corporation proposes to make changes to the Coarse Grains Crop Insurance Provisions for corn, grain, sorghum, and soybeans for the 2000 crop year specific to the way corn grain versus corn silage is insured and to clarify the insurability of specialty corn and soybeans.

**Timetable:**

Action	Date	FR Cite
NPRM	05/00/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Diana Moslak, Regulatory Review Officer, Department

of Agriculture, Federal Crop Insurance Corporation, 1400 Independence Avenue SW, Washington, DC 20250-0801

Phone: 202 720-2832

Kenneth D. Ackerman, Manager, Department of Agriculture, Federal Crop Insurance Corporation, MS 0801, 1400 Independence Avenue SW, Washington, DC 20250-0801

Phone: 202 690-2803

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RIN: 0563-AB64

### 159. GENERAL ADMINISTRATIVE REGULATIONS; MOVEMENT OF BUSINESS AMONG INSURANCE PROVIDERS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 7 USC 1506(l); 7 USC 1506(p)

**CFR Citation:** 7 CFR 400

**Legal Deadline:** None

**Abstract:** To ensure that the interests of policyholders are protected and that the policies and policyholder data are transferred in an orderly manner, the Risk Management Agency is providing comprehensive regulations that will apply to agents, managing general agents, policy-issuing companies, and reinsured companies. The objective of this regulation is to prescribe uniform administrative requirements for the movement or assumption of crop insurance policies.

**Timetable:**

Action	Date	FR Cite
NPRM	05/00/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Diana Moslak, Regulatory Review Officer, Department of Agriculture, Federal Crop Insurance Corporation, 1400 Independence Avenue SW, Washington, DC 20250-0801  
Phone: 202 720-2832

Kenneth D. Ackerman, Manager, Department of Agriculture, Federal Crop Insurance Corporation, MS 0801, 1400 Independence Avenue SW, Washington, DC 20250-0801

Phone: 202 690-2803

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RIN: 0563-AB71

## USDA—FCIC

## Proposed Rule Stage

**160. GENERAL ADMINISTRATIVE REGULATIONS; SANCTIONS****Priority:** Other Significant**Legal Authority:** 7 USC 1506(l); 7 USC 1506(m); 7 USC 1506(p)**CFR Citation:** 7 CFR 400**Legal Deadline:** None**Abstract:** To add a new section to the Sanction regulation that will specify the conditions under which a person and affiliate may qualify for a waiver or reduction of a civil penalty imposed by the Agency.**Timetable:**

Action	Date	FR Cite
NPRM	05/00/00	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None**Agency Contact:** Diana Moslak, Regulatory Review Officer, Department of Agriculture, Federal Crop Insurance Corporation, 1400 Independence Avenue SW, Washington, DC 20250-0801

Phone: 202 720-2832

Kenneth D. Ackerman, Manager, Department of Agriculture, Federal Crop Insurance Corporation, MS 0801, 1400 Independence Avenue SW, Washington, DC 20250-0801  
Phone: 202 690-2803  
Fax: 202 690-2818**RIN:** 0563-AB73**161. COMMON CROP INSURANCE REGULATIONS; FLORIDA FRUIT TREE CROP INSURANCE PROVISIONS****Priority:** Other Significant**Legal Authority:** 7 USC 1506(l); 7 USC 1506(p)**CFR Citation:** 7 CFR 457**Legal Deadline:** None**Abstract:** The Federal Crop Insurance Corporation proposes to convert the Florida fruit tree pilot insurance program to a permanent insurance program.**Timetable:**

Action	Date	FR Cite
NPRM	05/00/00	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Timothy Hoffmann, Director, Product Development Branch, Department of Agriculture, Federal Crop Insurance Corporation, 9435 Holmes Road, Kansas City, MO 64141  
Phone: 816 926-7743Kenneth D. Ackerman, Manager, Department of Agriculture, Federal Crop Insurance Corporation, MS 0801, 1400 Independence Avenue SW, Washington, DC 20250-0801  
Phone: 202 690-2803  
Fax: 202 690-2818**RIN:** 0563-AB75**162. COMMON CROP INSURANCE REGULATIONS; BLUEBERRY CROP INSURANCE PROVISIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 7 USC 1506(l); 7 USC 1506(p)**CFR Citation:** 7 CFR 457**Legal Deadline:** None**Abstract:** The purpose of this rule is to solicit public comments on FCIC's proposed action to convert the blueberry pilot insurance program to a permanent insurance program for the 2000 and succeeding crop years. The pilot was initiated for the 1995 crop year for selected counties in Michigan, Mississippi, New Jersey, and North Carolina and covered highbush and rabbiteye blueberry varieties.**Timetable:**

Action	Date	FR Cite
NPRM	05/00/00	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Kenneth D. Ackerman, Manager, Department of Agriculture, Federal Crop Insurance Corporation, MS 0801, 1400 Independence Avenue SW, Washington, DC 20250-0801  
Phone: 202 690-2803  
Fax: 202 690-2818**RIN:** 0563-AB76**163. GENERAL ADMINISTRATIVE REGULATIONS; CIVIL RIGHTS DATA COLLECTION****Priority:** Other Significant**Legal Authority:** 28 CFR 42.403; 28 CFR 42.406**CFR Citation:** 7 CFR 400**Legal Deadline:** None**Abstract:** The purpose of this action is to ensure compliance with title VI civil rights requirements. This data collection includes race/national origin, sex, disability, and age. This will allow the Agency to better assess if discrimination has occurred and to identify areas in need of outreach.**Timetable:**

Action	Date	FR Cite
NPRM	05/00/00	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Kenneth D. Ackerman, Manager, Department of Agriculture, Federal Crop Insurance Corporation, MS 0801, 1400 Independence Avenue SW, Washington, DC 20250-0801  
Phone: 202 690-2803  
Fax: 202 690-2818**RIN:** 0563-AB78**164. COMMON CROP INSURANCE REGULATIONS; MILLET CROP INSURANCE PROVISIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 7 USC 1506(l); 7 USC 1506(p)**CFR Citation:** 7 CFR 457**Legal Deadline:** None**Abstract:** The purpose of this rule is to solicit public comments on FCIC's proposed action to convert the millet pilot crop insurance program to a permanent insurance program and clarify existing crop provisions and methodology for calculated losses for the 2001 and succeeding crop years. FCIC believes this proposed rule will provide additional coverage benefits and improved the risk management tool for millet producers in all regions of the country.**Timetable:**

Action	Date	FR Cite
NPRM	05/00/00	



## USDA—FCIC

## Proposed Rule Stage

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Kenneth D. Ackerman, Manager, Department of Agriculture, Federal Crop Insurance Corporation, MS 0801, 1400 Independence Avenue SW, Washington, DC 20250-0801  
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Fax: 202 690-2818

**RIN:** 0563-AB79**165. • COMMON CROP INSURANCE REGULATIONS; NURSERY CROP INSURANCE PROVISIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 7 USC 1506(l); 7 USC 1506(p)**CFR Citation:** 7 CFR 457**Legal Deadline:** None

**Abstract:** The purpose of this proposed rule is to solicit public comments on FCIC's proposed action to revise the Nursery Crop Provisions (99-073) for the 2002 crop year to: Specify that container grown and field grown plants are separate crops, provide optional units by location for field grown nursery plant, incorporate the "lower of" rule into section 6 of the provisions, permit insureds to purchase insurance coverage on a year-round basis, incorporate provisions to provide a rehabilitation payment for plants damaged by an insured cause of loss.

**Timetable:**

Action	Date	FR Cite
NPRM	05/00/00	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Sectors Affected:** 001 None

**Agency Contact:** Kenneth D. Ackerman, Manager, Department of Agriculture, Federal Crop Insurance Corporation, MS 0801, 1400 Independence Avenue SW, Washington, DC 20250-0801  
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**RIN:** 0563-AB80

## DEPARTMENT OF AGRICULTURE (USDA)

## Final Rule Stage

## Federal Crop Insurance Corporation (FCIC)

**166. GENERAL ADMINISTRATIVE REGULATIONS; SUBPART S; REGULATIONS FOR INSURANCE COVERAGE BY WRITTEN AGREEMENT****Priority:** Other Significant**Legal Authority:** 7 USC 1506(l)**CFR Citation:** 7 CFR 400**Legal Deadline:** None

**Abstract:** The Federal Crop Insurance Corporation (FCIC) hereby proposes regulations to allow insurance coverage by written agreement for crops in counties which have no actuarial table. Currently, FCIC provides insurance by written agreement for only program crops. By providing insurance by written agreement, FCIC will provide a risk management tool to a broader base of producers.

**Timetable:**

Action	Date	FR Cite
NPRM	06/20/97	62 FR 33575
NPRM Comment Period End	08/19/97	
Final Action	05/00/00	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None

**Agency Contact:** Kenneth D. Ackerman, Manager, Department of Agriculture, Federal Crop Insurance

Corporation, MS 0801, 1400 Independence Avenue SW, Washington, DC 20250-0801  
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**RIN:** 0563-AB07**167. GENERAL ADMINISTRATIVE REGULATIONS; SUBPART J; APPEAL PROCEDURE REGULATIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 7 USC 1506(l)**CFR Citation:** 7 CFR 400**Legal Deadline:** None

**Abstract:** This rule will amend FCIC appeal procedures by outlining provisions that producers must follow when appealing decisions which deny them program benefits or eligibility.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	12/29/95	60 FR 67298
Final Action	05/00/00	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None

**Agency Contact:** Kenneth D. Ackerman, Manager, Department of Agriculture, Federal Crop Insurance Corporation, MS 0801, 1400

Independence Avenue SW, Washington, DC 20250-0801  
Phone: 202 690-2803  
Fax: 202 690-2818

**RIN:** 0563-AB17**168. GENERAL ADMINISTRATIVE REGULATIONS; SUBPART N; DISASTER ASSISTANCE ACT OF 1988****Priority:** Substantive, Nonsignificant**Legal Authority:** 7 USC 1506(l)**CFR Citation:** 7 CFR 400**Legal Deadline:** None

**Abstract:** This rule proposes to revise subpart N of the General Administrative Regulations by repealing obsolete disaster guidelines and requiring the mandatory purchase of catastrophic crop insurance for program crops as a prerequisite for obtaining benefits under any commodity price subpart, production adjustment, or conservation program administered by USDA, or any farmer loan program, whether these programs are administered by FCIC or CFSa.

**Timetable:**

Action	Date	FR Cite
Final Action	05/00/00	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None

## USDA—FCIC

## Final Rule Stage

**Agency Contact:** Kenneth D. Ackerman, Manager, Department of Agriculture, Federal Crop Insurance Corporation, MS 0801, 1400 Independence Avenue SW, Washington, DC 20250-0801  
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Fax: 202 690-2818  
**RIN:** 0563-AB20

### 169. FEDERAL CROP INSURANCE ON HIGHLY ERODIBLE LAND AND WETLANDS—PART 400

**Priority:** Other Significant

**Legal Authority:** 16 USC 3811; 16 USC 3821

**CFR Citation:** 7 CFR 400.47

**Legal Deadline:** Final, Statutory, July 3, 1996.

**Abstract:** This action will implement requirements of the Federal Agriculture Improvement and Reform Act of 1996 to provide that producers will no longer be required to be in compliance with the highly erodible land and wetland conservation provisions of the Food Security Act of 1985 in order to be eligible to obtain crop insurance. No cost is expected.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	07/23/96	61 FR 38057
Final Action	05/00/00	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Kenneth D. Ackerman, Manager, Department of Agriculture, Federal Crop Insurance Corporation, MS 0801, 1400 Independence Avenue SW, Washington, DC 20250-0801  
Phone: 202 690-2803  
Fax: 202 690-2818  
**RIN:** 0563-AB59

### 170. FEDERAL CROP INSURANCE ON HIGHLY ERODIBLE LAND AND WETLANDS—PART 401

**Priority:** Other Significant

**Legal Authority:** 16 USC 3811; 16 USC 3821

**CFR Citation:** 7 CFR 401.8

**Legal Deadline:** Final, Statutory, July 3, 1996.

**Abstract:** This action will implement requirements of the Federal

Agricultural Improvement and Reform Act of 1996 to provide that producers will no longer be required to be in compliance with the highly erodible land and wetland conservation provisions of the Food Security Act of 1985 in order to be eligible to obtain crop insurance. No cost is expected.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	07/26/96	61 FR 39048
Final Action	05/00/00	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Kenneth D. Ackerman, Manager, Department of Agriculture, Federal Crop Insurance Corporation, MS 0801, 1400 Independence Avenue SW, Washington, DC 20250-0801  
Phone: 202 690-2803  
Fax: 202 690-2818  
**RIN:** 0563-AB60

### 171. GENERAL ADMINISTRATIVE REGULATIONS; NONSTANDARD UNDERWRITING CLASSIFICATION SYSTEM

**Priority:** Other Significant

**Legal Authority:** 7 USC 1506(l); 7 USC 1506(p)

**CFR Citation:** 7 CFR 400

**Legal Deadline:** None

**Abstract:** The Federal Crop Insurance Corporation proposes to remove and reserve subpart O of the General Administrative Regulations, effective for the 1999 (2000 for Texas and Arizona and California Citrus) and succeeding crop years. This proposed action is intended to eliminate the unintended adverse effects of the Nonstandard Classification System (NCS), simplify and update program underwriting rules consistent with the program's current and future anticipated experience, and ensure that crop insurance premiums are applied to all producers in a fair and consistent manner.

**Timetable:**

Action	Date	FR Cite
ANPRM	09/17/97	62 FR 48798
ANPRM Comment Period End	10/17/97	
NPRM	09/02/98	63 FR 46703

Action	Date	FR Cite
NPRM Comment Period End	10/19/98	
Final Action	05/00/00	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Diana Moslak, Regulatory Review Officer, Department of Agriculture, Federal Crop Insurance Corporation, 1400 Independence Avenue SW, Washington, DC 20250-0801  
Phone: 202 720-2832

Kenneth D. Ackerman, Manager, Department of Agriculture, Federal Crop Insurance Corporation, MS 0801, 1400 Independence Avenue SW, Washington, DC 20250-0801  
Phone: 202 690-2803  
Fax: 202 690-2818  
**RIN:** 0563-AB66

### 172. GENERAL ADMINISTRATIVE REGULATIONS; PREMIUM REDUCTIONS; PAYMENTS OF REBATES, DIVIDENDS, AND PATRONAGE REFUNDS; AND PAYMENTS TO INSURED-OWNED AND RECORD-CONTROLLING ENTITIES

**Priority:** Other Significant

**Legal Authority:** 7 USC 1506(l); 7 USC 1506(p); 7 USC 1508(e)(3)

**CFR Citation:** 7 CFR 400

**Legal Deadline:** None

**Abstract:** To allow approved insurance providers to apply to the Federal Crop Insurance Corporation for authority to reduce the premium charged producers in accordance with section 508(e)(3) of the Federal Crop Insurance Act, as amended, and to provide the limitations and requirements applicable to the payment of rebates, dividends, and patronage refunds to insureds, and payments to insured-owned and record-controlling entities.

**Timetable:**

Action	Date	FR Cite
NPRM	05/12/99	64 FR 25464
NPRM Comment Period End	07/12/99	
Final Action	05/00/00	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

## USDA—FCIC

## Final Rule Stage

**Agency Contact:** Heyward Baker,  
Director, Reinsurance Services Division,  
Department of Agriculture, Federal

Crop Insurance Corporation, 1400  
Independence Avenue SW,  
Washington, DC 20250-0804

Phone: 202 720-4286

**RIN:** 0563-AB70

## DEPARTMENT OF AGRICULTURE (USDA)

## Completed Actions

## Federal Crop Insurance Corporation (FCIC)

### 173. GENERAL ADMINISTRATIVE REGULATIONS; REINSURANCE AGREEMENT—STANDARDS FOR APPROVAL

**Priority:** Other Significant

**CFR Citation:** 7 CFR 400

**Completed:**

Reason	Date	FR Cite
Withdrawn	01/05/00	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Diana Moslak  
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**RIN:** 0563-AB72

### 174. DAIRY OPTIONS PILOT PROGRAM—REVISED NOTICE OF AVAILABILITY

**Priority:** Other Significant

**CFR Citation:** None

**Completed:**

Reason	Date	FR Cite
Notice of Availability	02/24/00	65 FR 9237

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Sectors Affected:** 001 None

**Agency Contact:** Kenneth D. Ackerman  
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Fax: 202 690-2818

**RIN:** 0563-AB77

**BILLING CODE** 3410-08-F

## DEPARTMENT OF AGRICULTURE (USDA)

## Proposed Rule Stage

## Grain Inspection, Packers and Stockyards Administration (GIPSA)

### 175. POULTRY GROWER CONTRACTS

**Priority:** Other Significant

**Legal Authority:** 7 USC 204; 7 USC 228

**CFR Citation:** 9 CFR 201.100

**Legal Deadline:** None

**Abstract:** An ANPRM solicited input from contract poultry growers, as well as other interested parties, into any proposal the Agency issues under the Packers and Stockyards Act to address expressed concerns of contract poultry growers. After reviewing comments filed in response to the ANPRM, as well as standard poultry industry practices, the Agency is proposing to revise the current poultry grower contract regulations. The proposed changes would require live poultry dealers to provide additional information to poultry growers about terms of poultry growout contracts. The proposed changes would ensure that poultry growers have better information on which to base their decisions and develop a more realistic understanding of what their payments might be.

**Timetable:**

Action	Date	FR Cite
ANPRM	02/10/97	62 FR 5935
ANPRM Comment Period End	05/12/97	
NPRM	07/00/00	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** None

**Agency Contact:** Sharon L. Vassiliades,  
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**RIN:** 0580-AA51

### 176. REVIEW INSPECTION REQUIREMENTS

**Priority:** Other Significant

**Legal Authority:** 7 USC 71 et seq

**CFR Citation:** 7 CFR 800.125; 7 CFR 800.135; 7 CFR 800.87

**Legal Deadline:** None

**Abstract:** GIPSA is proposing to revise regulations under the U.S. Grain Standards Act to allow interested persons to stipulate the quality factors that would be redetermined during a reinspection or appeal inspection for grade. Currently reinspections and appeal inspections for grade must include a review for all factors that (1) may determine the grade; (2) are reported on the original certificate; or

(3) are required to be shown. GIPSA has determined that mandating all quality factors be reexamined during a review inspection is inefficient, time consuming, and costly. Further, such a complete review of the preceding inspection service is usually not needed to confirm the true quality of the grain. This proposed action will allow interested parties to specify which official factors should be redetermined during the reinspection or appeal inspection service. However, to safeguard against inadvertent misgrading, official personnel may determine other factors, when deemed necessary.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/00	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Sharon L. Vassiliades,  
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Agriculture, Grain Inspection, Packers  
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**RIN:** 0580-AA58

## USDA—GIPSA

## Proposed Rule Stage

**177. REGULATIONS UNDER PACKERS AND STOCKYARDS ACT (PRICE REPORTING)****Priority:** Other Significant**Legal Authority:** 7 USC 204; 7 USC 228**CFR Citation:** 9 CFR 200**Legal Deadline:** None

**Abstract:** Following a review of comments received in response to the ANPRM, the Agency is considering a proposed regulation that would make purchasing or selling livestock with the condition that the price not be reported a violation of the Packers and Stockyards Act.

**Timetable:**

Action	Date	FR Cite
ANPRM	09/10/98	63 FR 48450
ANPRM Comment Period End	12/09/98	
NPRM	05/00/00	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** Businesses  
**Government Levels Affected:** None  
**Agency Contact:** Sharon L. Vassiliades, Regulatory Liaison, Department of Agriculture, Grain Inspection, Packers and Stockyards Administration, Room 0623-S, 1400 Independence Avenue SW, Washington, DC 20250  
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**RIN:** 0580-AA65

**178. • SWINE PACKER MARKETING CONTRACTS****Priority:** Other Significant**Legal Authority:** 7 USC 181; PL 106-78**CFR Citation:** 9 CFR 206**Legal Deadline:** NPRM, Statutory, May 1, 2000.

**Abstract:** The Agency is proposing rules under the Packers and Stockyards Act to implement the Swine Packer

Marketing Contracts subtitle of the Livestock Mandatory Reporting Act of 1999. The proposal is intended to establish a swine marketing contract library and provide information on the contracting practices of swine packers.

**Timetable:**

Action	Date	FR Cite
NPRM	05/00/00	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** Businesses**Government Levels Affected:** None

**Agency Contact:** Sharon L. Vassiliades, Regulatory Liaison, Department of Agriculture, Grain Inspection, Packers and Stockyards Administration, Room 0623-S, 1400 Independence Avenue SW, Washington, DC 20250  
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 Email: svassili@gipsadc.usda.gov  
**RIN:** 0580-AA71

## DEPARTMENT OF AGRICULTURE (USDA)

## Final Rule Stage

## Grain Inspection, Packers and Stockyards Administration (GIPSA)

**179. TOLERANCES FOR DIVIDERS****Priority:** Substantive, Nonsignificant**Legal Authority:** 7 USC 71 et seq**CFR Citation:** 7 CFR 801.10**Legal Deadline:** None

**Abstract:** GIPSA proposes to remove section 801.10, Tolerance for Dividers, from the CFR. Since GIPSA no longer tests dividers, the rule is no longer needed. By using the direct final rule process, GIPSA will give the public general notice of its intent to remove the rule and provide interested persons an opportunity to participate in the rulemaking through submission of comments.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	06/00/00	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Sharon L. Vassiliades, Regulatory Liaison, Department of Agriculture, Grain Inspection, Packers and Stockyards Administration, Room

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 Email: svassili@gipsadc.usda.gov  
**RIN:** 0580-AA57

**180. REGULATIONS ISSUED UNDER PACKERS AND STOCKYARDS ACT (FEED WEIGHT)****Priority:** Other Significant**Legal Authority:** 7 USC 204; 7 USC 228**CFR Citation:** 9 CFR 201.49; 9 CFR 201.55; 9 CFR 201.71; 9 CFR 201.72; 9 CFR 201.73**Legal Deadline:** None

**Abstract:** The Agency is proposing to amend existing scales and weighing regulations under the Packers and Stockyards Act to include feed when the weight of the feed is a factor in determining payment to growers. The proposed amendments to existing regulations would require that scale tickets be issued containing certain required information and that the weight be printed by a printing device; the actual weight be printed on scale tickets or otherwise explained; scales

be installed, maintained, operated, and tested in accordance with National Institute of Standards and Technology Handbook 44, 1996; scales be tested twice each calendar year at intervals of approximately 6 months by competent persons; and scales be operated by qualified persons in accordance with the regulations.

**Timetable:**

Action	Date	FR Cite
NPRM	04/02/99	64 FR 15938
NPRM Comment Period End	06/01/99	
Final Action	05/00/00	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** Businesses**Government Levels Affected:** None

**Agency Contact:** Sharon L. Vassiliades, Regulatory Liaison, Department of Agriculture, Grain Inspection, Packers and Stockyards Administration, Room 0623-S, 1400 Independence Avenue SW, Washington, DC 20250  
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 Email: svassili@gipsadc.usda.gov  
**RIN:** 0580-AA64

**DEPARTMENT OF AGRICULTURE (USDA)****Completed Actions****Grain Inspection, Packers and Stockyards Administration (GIPSA)****181. • FEES FOR INSPECTION AND WEIGHING SERVICES 2000****Priority:** Substantive, Nonsignificant**Legal Authority:** 7 USC 71**CFR Citation:** 7 CFR 800.71**Legal Deadline:** None

**Abstract:** The Agency proposes to amend regulations under the U.S. Grain Standards Act (USGSA) to recover anticipated increases in operational costs created by the January 2000 Federal salary increase. The Agency proposes an approximate 2.4 percent increase for all hourly rates, certain unit rates, and the administrative tonnage fee for official inspection and weighing services performed under the USGSA.

**Timetable:**

Action	Date	FR Cite
NPRM	01/03/00	65 FR 00075
NPRM Comment Period End	03/03/00	
Final Action	03/30/00	65 FR 16783
Final Action Effective	05/01/00	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Sharon L. Vassiliades, Regulatory Liaison, Department of Agriculture, Grain Inspection, Packers and Stockyards Administration, Room 0623-S, 1400 Independence Avenue SW, Washington, DC 20250  
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**RIN:** 0580-AA69

operational costs resulting from the mandated January 2000 Federal salary increase.

**Timetable:**

Action	Date	FR Cite
NPRM	01/03/00	65 FR 00075
NPRM Comment Period End	03/03/00	
Final Action	03/30/00	65 FR 16783
Final Action Effective	05/01/00	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Sharon L. Vassiliades, Regulatory Liaison, Department of Agriculture, Grain Inspection, Packers and Stockyards Administration, Room 0623-S, 1400 Independence Avenue SW, Washington, DC 20250  
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**RIN:** 0580-AA70**BILLING CODE** 3410-EN-F**DEPARTMENT OF AGRICULTURE (USDA)****Proposed Rule Stage****Food and Nutrition Service (FNS)****183. SPECIAL SUPPLEMENTAL FOOD PROGRAM FOR WOMEN, INFANTS, AND CHILDREN (WIC): MISCELLANEOUS PROVISIONS****Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 42 USC 1786**CFR Citation:** 7 CFR 246**Legal Deadline:** None

**Abstract:** This proposed rule responds to a variety of program concerns, most of which have been expressed by WIC State agencies. The proposal increases State agency flexibility regarding the sharing of participant information with other programs and streamlines Federal requirements for financial and participation reporting by State agencies. Several minor clarifications and technical corrections are also made. (89-515)

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/00	
NPRM Comment Period End	07/00/00	
Final Action	11/00/00	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** State, Local, Tribal

**Agency Contact:** Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, Room 322, 3101 Park Center Drive, Alexandria, VA 22302  
Phone: 703 305-2246  
Email: sheri.ackerman@fns.usda.gov

**RIN:** 0584-AB10**184. FOOD STAMP PROGRAM MATCHING PROGRAMS AND PRIVACY PROTECTIONS****Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 5 USC 552(a) Computer Matching and Privacy Protection Act; 7 USC 2015(b) Food Stamp Act

**CFR Citation:** 7 CFR 272; 7 CFR 273**Legal Deadline:** None

**Abstract:** This proposed rule describes requirements for State agencies to report information on individuals disqualified from the program for intentional program violations to FNS and the related FNS computer matching program known as the Disqualified Recipient Subsystem (DRS).

This proposed rule also describes protections to persons whose benefits could be adversely affected by computer matches used in the Food Stamp Program. Such protections must include independent verification of computer information, notification to

## USDA—FNS

## Proposed Rule Stage

the affected individual, and provision of an opportunity to respond to the information before an adverse action becomes effective. (89-010)

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/00	
NPRM Comment Period End	02/00/01	
Final Action	07/00/01	
Final Action Effective	10/00/01	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** Local, State

**Agency Contact:** Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, Room 322, 3101 Park Center Drive, Alexandria, VA 22302  
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Email: sheri.ackerman@fns.usda.gov

**RIN:** 0584-AB51

**185. DISCLOSURE OF FREE AND REDUCED-PRICE ELIGIBILITY INFORMATION UNDER THE SCHOOL NUTRITION AND CHILD AND ADULT CARE FOOD PROGRAMS**

**Priority:** Other Significant

**Legal Authority:** PL 103-448, sec 108

**CFR Citation:** 7 CFR 226; 7 CFR 245

**Legal Deadline:** None

**Abstract:** This rule would allow limited disclosure of children's free and reduced price meal eligibility status or information, as authorized under Public Law 103-448, to persons directly connected with the administration or enforcement of (1) programs under the National School Lunch Act or Child Nutrition Act of 1966; (2) Federal education programs; (3) State health and education programs; (4) means-tested nutrition programs; and (5) the Comptroller General and certain law enforcement officials. The rule also proposes safeguards to protect the free and reduced-price application and personal information from misuse and includes penalties for unauthorized disclosures. (95-022)

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/00	
NPRM Comment Period End	06/00/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** State, Local

**Agency Contact:** Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, Room 322, 3101 Park Center Drive, Alexandria, VA 22302  
Phone: 703 305-2246  
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**RIN:** 0584-AC21

**186. CHILD AND ADULT CARE FOOD PROGRAM: IMPROVING MANAGEMENT AND PROGRAM INTEGRITY**

**Priority:** Other Significant

**Unfunded Mandates:** Undetermined

**Legal Authority:** 42 USC 1766; PL 104-193; PL 105-336; PL 103-448

**CFR Citation:** 7 CFR 226

**Legal Deadline:** None

**Abstract:** This rule amends the Child and Adult Care Food Program (CACFP) regulations. The changes in this rule result from the findings of State and Federal Program reviews and from audits and investigations conducted by the Office of Inspector General. This rule proposes to revise: State agency criteria for approving and renewing institution applications; program training and other operating requirements for child care institutions and facilities; State- and institution-level monitoring requirements; and criteria for terminating agreements with institutions. This rule also includes changes that are required by the Healthy Meals for Healthy Americans Act of 1994 (Pub.L. 103-448), the Personal Responsibility and Work Opportunities Reconciliation Act of 1996 (Pub.L. 104-193), and the William F. Goodling Child Nutrition Reauthorization Act of 1998 (Pub.L. 105-336).

The changes are designed to improve program operations and monitoring at the State and institution levels and, where possible, to streamline and simplify program requirements for State agencies and institutions. (95-024)

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/00	
NPRM Comment Period End	07/00/00	

Action	Date	FR Cite
Final Action	12/00/00	
Final Action Effective	01/00/01	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** Organizations

**Government Levels Affected:** State, Local

**Agency Contact:** Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, Room 322, 3101 Park Center Drive, Alexandria, VA 22302  
Phone: 703 305-2246  
Email: sheri.ackerman@fns.usda.gov

**RIN:** 0584-AC24

**187. DETERMINING ELIGIBILITY FOR FREE AND REDUCED-PRICE MEALS AND FREE MILK IN SCHOOLS: PROVISION 2 AND PROVISION 3**

**Priority:** Other Significant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** PL 103-448

**CFR Citation:** 7 CFR 245

**Legal Deadline:** None

**Abstract:** Under an alternative known as Provision 2, schools that serve all meals at no charge for 3 consecutive years may distribute applications and make free and reduced price meal eligibility determinations once every 3 years. During year 1 of the 3-year cycle, they count and claim meals by category (free, reduced price, and paid) and use these counts to develop claiming percentages to use during years 2 and 3. Public Law 103-448 amended the NSLA to allow schools to extend these procedures an additional 2 years and allow subsequent 5-year cycles, without making new free and reduced price eligibility determinations, provided the income level of the school's population remained stable. Public Law 103-448 also added a new Provision 3 for schools that serve all meals free for 4 consecutive years. These schools receive the same level of cash and commodity assistance they received in the last year free and reduced price eligibility determinations and actual meal counts were taken. Additional 4-year cycles were permitted, without

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making new free and reduced price eligibility determinations, provided the income level of the school's population remained stable. For both provisions, schools must make up the difference between Federal reimbursement and meal costs. Public Law 105-336 subsequently amended the timeframe for Provision 2 so that both Provisions 2 and 3 are 4-year cycles, which may be extended, without making new eligibility determinations, if the income level of the school's population remains stable. The rule will codify these provisions and specify technical aspects, such as the measurement of the income level of the school's population and the types of data that may be used. (96-003)

**Timetable:**

Action	Date	FR Cite
NPRM	02/07/00	65 FR 5791
NPRM Comment Period End	04/07/00	
Final Action	10/00/00	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** State, Local

**Agency Contact:** Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, Room 322, 3101 Park Center Drive, Alexandria, VA 22302  
Phone: 703 305-2246  
Email: sheri.ackerman@fns.usda.gov

**RIN:** 0584-AC25

### 188. FOOD STAMP PROGRAM REGULATORY REVIEW: FSP STANDARDS FOR APPROVAL AND OPERATION OF FOOD STAMP ELECTRONIC BENEFIT TRANSFER SYSTEMS

**Priority:** Other Significant. Major status under 5 USC 801 is undetermined.**Unfunded Mandates:** Undetermined

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 7 USC 2011 TO 2034**CFR Citation:** 7 CFR 274.12**Legal Deadline:** None

**Abstract:** This rule proposes revisions to food stamp regulations affecting the standards and administration of EBT

systems for food stamp issuance. Current regulations at 7 CFR 274.12 delineate the standards that EBT systems must meet in order to be approved for operation. This rule will revise those regulations to provide the State agency more flexibility in implementing and operating those systems. Clarifications and FNS settlement improvements will also be incorporated into the rule. (96-016)

**Timetable:**

Action	Date	FR Cite
NPRM	05/00/00	
NPRM Comment Period End	07/00/00	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None

**Agency Contact:** Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, Room 322, 3101 Park Center Drive, Alexandria, VA 22302  
Phone: 703 305-2246  
Email: sheri.ackerman@fns.usda.gov

**RIN:** 0584-AC37

### 189. FSP: NONCITIZEN ELIGIBILITY AND CERTIFICATION PROVISIONS OF PUBLIC LAW 104-193 (PREVIOUSLY ENTITLED STATE FLEXIBILITY AND CERTIFICATION PROVISIONS)

**Priority:** Economically Significant. Major under 5 USC 801.

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** PL 104-193; PL 104-208; 7 USC 2011 to 2032

**CFR Citation:** 7 CFR 272.3; 7 CFR 273.1; 7 CFR 273.2; 7 CFR 273.4; 7 CFR 273.9(c); 7 CFR 273.9(d); 7 CFR 273.10(a); 7 CFR 273.10(c) to 273.10(f); 7 CFR 273.11(a) to 273.11(c); 7 CFR 273.11(e); 7 CFR 273.11(j); 7 CFR 273.13; 7 CFR 273.14(b); 7 CFR 273.14(e)

**Legal Deadline:** Other, Statutory, August 22, 1996, for PL 104-193 sec 813, 814, 820, 821, 837, and 911. Other, Statutory, November 22, 1996, for PL 104-193 sec 824. Other, Statutory, July 1, 1997, for PL 104-193 sec 115. For provisions effective upon enactment, the statutory

implementation date is August 22, 1996.

**Abstract:** This rule proposes to amend Food Stamp Program regulations to implement 14 provisions of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 and one provision of the Omnibus Consolidated Appropriations Act of 1996. These provisions would increase State agency flexibility in processing applications for the Food Stamp Program and allow greater use of standard amounts for determining deductions and self-employment expenses. The provisions would also give State agencies options to issue partial allotments for households in treatment centers, issue combined allotments to certain expedited service households, and certify elderly or disabled households for 24 months. Other changes would revise requirements for determining noncitizen eligibility and the eligibility and benefits of sponsored noncitizens, eliminate the exclusion of certain transitional housing payments and State and local energy assistance, exclude the earnings of students under 18, and require proration of benefits following any break in certification. The rule would also add vehicles to the assets which may be covered under the inaccessible resources provisions of the Food Stamp Act of 1977. (96-020)

**Timetable:**

Action	Date	FR Cite
NPRM	02/29/00	65 FR 10856
NPRM Comment Period End	05/01/00	
Final Action	01/00/01	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** Federal, State, Local

**Agency Contact:** Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, Room 322, 3101 Park Center Drive, Alexandria, VA 22302  
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Email: sheri.ackerman@fns.usda.gov

**RIN:** 0584-AC40

## USDA—FNS

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**190. REGULATORY REFORM: PROVISIONS RELATING TO FIRMS PARTICIPATING IN THE FOOD STAMP PROGRAM****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 7 USC 2011 to 2032**CFR Citation:** 7 CFR 278; 7 CFR 279**Legal Deadline:** None**Abstract:** In response to the President's regulatory reform effort, the Food and Nutrition Service is proposing to revise or eliminate certain sections of parts 278 and 279 of the Food Stamp Program (FSP) regulations which govern the authorization and sanctioning of firms which participate in the FSP. The proposed changes which will be made to parts 278 and 279 are discretionary. (96-028)**Timetable:**

Action	Date	FR Cite
NPRM	12/00/00	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None**Agency Contact:** Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, Room 322, 3101 Park Center Drive, Alexandria, VA 22302  
Phone: 703 305-2246  
Email: sheri.ackerman@fns.usda.gov**RIN:** 0584-AC48**191. WIC FARMERS MARKET NUTRITION PROGRAM (FMNP): EXPANSION FUNDS ALLOCATION FORMULA****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 42 USC 1786(m)**CFR Citation:** 7 CFR 248**Legal Deadline:** None**Abstract:** The Child Nutrition Act of 1966 as amended (42 USC 1786(m)(6))

sets forth funding requirements of State agencies currently operating the program and for State agencies wishing to start a new program. The law leaves it to the discretion of the Secretary to determine the method of allocating funds to currently operating State agencies. This interim rule would implement a funding formula for the allocation of such expansion funds to existing FMNP State agencies. (98-003)

**Timetable:**

Action	Date	FR Cite
NPRM	08/00/00	
NPRM Comment	10/00/00	
Period End		
Final Action	12/00/00	

**Regulatory Flexibility Analysis Required:** Undetermined**Small Entities Affected:** Businesses, Governmental Jurisdictions**Government Levels Affected:** State, Local, Tribal**Agency Contact:** Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, Room 322, 3101 Park Center Drive, Alexandria, VA 22302  
Phone: 703 305-2246  
Email: sheri.ackerman@fns.usda.gov**RIN:** 0584-AC68**192. CHILD NUTRITION PROGRAMS: REIMBURSEMENT FOR SNACKS IN AFTERSCHOOL CARE PROGRAMS****Priority:** Other Significant**Legal Authority:** PL 105-336**CFR Citation:** 7 CFR 210; 7 CFR 235; 7 CFR 245; 7 CFR 226**Legal Deadline:** None**Abstract:** The William F. Goodling Child Nutrition Reauthorization Act of 1998 amended the National School Lunch Act to authorize reimbursement for snacks served under the NSLP in afterschool care programs operated by schools. The afterschool program must be organized primarily to provide care for children and have an educational or enrichment purpose. Additionally, the statute mandates free snacks for all children enrolled in afterschool care programs operated by schools in areas served by a school in which at least 50 percent of the enrolled children are certified for free or reduced price meals.

In the CACFP, the statute authorizes free snacks to children through age 18

enrolled in afterschool programs located in low-income areas. Low-income areas are defined in the law as areas in which at least 50 percent of the children are eligible for free or reduced price school meals. Therefore, individual eligibility determinations are not required for these programs. This rule also implements the provision of the law which permits outside school hours care programs to participate in CACFP if they meet health and safety standards where no State or local licensing or approval is required. (98-007)

**Timetable:**

Action	Date	FR Cite
NPRM	07/00/00	
NPRM Comment	10/00/00	
Period End		

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** State, Local**Agency Contact:** Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, Room 322, 3101 Park Center Drive, Alexandria, VA 22302  
Phone: 703 305-2246  
Email: sheri.ackerman@fns.usda.gov**RIN:** 0584-AC72**193. FSP: CIVIL RIGHTS DATA COLLECTIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** PL 88-352, sec 601**CFR Citation:** 7 CFR 272**Legal Deadline:** None**Abstract:** Title VI of the Civil Rights Act of 1964 requires the collection of racial/ethnic data for all programs utilizing Federal funds. State agencies are required to collect the data by racial/ethnic categories set by the Federal Government. In 1997, those categories changed. This proposed rule would change the racial categories for State Food Stamp Program reporting to comply with the new Federal racial categories. (98-010)**Timetable:**

Action	Date	FR Cite
NPRM	08/00/00	
NPRM Comment	10/00/00	
Period End		
Final Action	01/00/01	
Final Action Effective	04/00/01	



## USDA—FNS

## Proposed Rule Stage

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** State, Local**Agency Contact:** Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, Room 322, 3101 Park Center Drive, Alexandria, VA 22302  
Phone: 703 305-2246  
Email: sheri.ackerman@fns.usda.gov**RIN:** 0584-AC75**194. COMMODITY SUPPLEMENTAL FOOD PROGRAM: PLAIN LANGUAGE, PROGRAM ACCOUNTABILITY, AND PROGRAM FLEXIBILITY****Priority:** Substantive, Nonsignificant**Legal Authority:** PL 101-624; PL 104-127; PL 104-193**CFR Citation:** 7 CFR 247**Legal Deadline:** None

**Abstract:** This rule will rewrite regulations pertaining to the Commodity Supplemental Food Program (7 CFR part 247) in "plain language." It will also amend regulatory provisions in this part to increase program accountability and flexibility for program operators. The rule will affect program accountability by: (1) Requiring State agencies to initiate a claim against participants for repayment of the value of program benefits obtained as a result of intentional misrepresentation; (2) extending the period that State agencies may disqualify participants for program violations for up to 1 year; (3) requiring State agencies to disqualify participants for engaging in dual participation or for other selected program violations; (4) including under program violations the physical abuse, or the threat of physical abuse, of program staff; and (5) including actions of proxies to also be program violations subject to sanctions.

Amendments to increase program flexibility include: (1) Allowing the State to extend the certification of elderly persons on a fixed income for an indefinite period without a formal review of eligibility; (2) increasing the period of time the State agency has to review a local agency's application for participation; (3) allowing State agencies to request to retain more than the maximum amount of administrative funds allocated whether or not they perform warehouse services; (4)

reducing the frequency of State management evaluations of local agencies; and (5) making State plans and Federal-State agreements permanent, with amendments submitted as needed.

Other miscellaneous proposed changes include: (1) Requiring local agencies to notify applicants of a decision on their application within 20 days of the date of application; (2) including the specific factors that FNS uses to determine the amount of caseload that States will receive in addition to base caseload; (3) making the caseload cycle the period from January 1 to December 31; and (4) including a pregnant woman's embryo or fetus in utero as a household member in determining the family's income eligibility.

The rule will also incorporate legislative provisions that have been implemented through program policy, including: (1) Increasing the percentage of the program appropriation, and of funds carried over from the previous year, to be allotted for administrative support of State and local agencies from 15 to 20 percent; (2) requiring that State and local agencies provide information on certain other public assistance programs to participants; (3) allowing State agencies to choose to require that benefits be restricted to U.S. citizens or qualified aliens; and (4) allowing State or local agencies to share information on the immigration status of program applicants or participants with INS or other government agencies. (99-005)

**Timetable:**

Action	Date	FR Cite
NPRM	08/00/00	
NPRM Comment Period End	10/00/00	
Final Action	02/00/01	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** State, Local, Tribal**Agency Contact:** Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, Room 322, 3101 Park Center Drive, Alexandria, VA 22302  
Phone: 703 305-2246  
Email: sheri.ackerman@fns.usda.gov**RIN:** 0584-AC84**195. FOOD STAMP PROGRAM: ADMINISTRATIVE COST REIMBURSEMENT****Priority:** Economically Significant. Major under 5 USC 801.**Unfunded Mandates:** Undetermined**Legal Authority:** PL 105-185, sec 502**CFR Citation:** 7 CFR 277**Legal Deadline:** Final, Statutory, October 1, 1998, Payment reduction required by law.

**Abstract:** This rule will allow State agencies to charge the FSP for its share of common costs for determining eligibility of Temporary Assistance for Needy Families (TANF) households for FSP in accordance with new HHS policy and approved cost allocation plans. (99-007)

**Timetable:**

Action	Date	FR Cite
NPRM	03/00/01	
NPRM Comment Period End	05/00/01	
Final Action	02/00/02	
Final Action Effective	05/00/02	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** State, Local**Federalism:** Undetermined**Agency Contact:** Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, Room 322, 3101 Park Center Drive, Alexandria, VA 22302  
Phone: 703 305-2246  
Email: sheri.ackerman@fns.usda.gov**RIN:** 0584-AC86**196. • SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS, AND CHILDREN (WIC): REVISIONS IN THE WIC FOOD PACKAGES****Priority:** Economically Significant. Major under 5 USC 801.**Legal Authority:** 42 USC 1786**CFR Citation:** 7 CFR 246**Legal Deadline:** None

**Abstract:** This proposed rule will amend regulations governing the WIC food packages to: 1) Add nutrient-dense leafy and other dark green and orange vegetables to Food Packages III-VII for

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women and children; 2) allow the substitution of canned legumes for dry legumes in Food packages III, IV, V, and VII; 3) allow the substitution of certain soy-based beverages for milk in Food Packages IV-VII to accommodate participate intolerances to milk and their food preferences; 4) revise the criteria used to permit food substitutions in WIC food packages to accommodate participants' cultural eating patterns more effectively; 5) revise Food Package III to: Serve all categories of participants who have certain medical conditions, increase the formula allowances, provide additional WIC foods allowed in other WIC food packages, and specify the medical

supervision, prescription, and documentation requirements for its issuance; and 6) make adjustments throughout all WIC food packages to address packaging and physical forms of WIC foods due to changes by the food industry and advancements in technology. (99-006)

**Timetable:**

Action	Date	FR Cite
NPRM	09/00/00	
NPRM Comment Period End	12/00/00	
Final Action	09/00/01	
Final Action Effective	09/00/02	

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** State, Local, Tribal, Federal

**Federalism:** This action may have federalism implications as defined in EO 13132.

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**RIN:** 0584-AC90

## DEPARTMENT OF AGRICULTURE (USDA)

## Final Rule Stage

## Food and Nutrition Service (FNS)

**197. SPECIAL SUPPLEMENTAL FOOD PROGRAM FOR WOMEN, INFANTS, AND CHILDREN (WIC): FOOD DELIVERY SYSTEMS INTEGRITY**

**Priority:** Other Significant

**Legal Authority:** 42 USC 1786

**CFR Citation:** 7 CFR 246

**Legal Deadline:** NPRM, Statutory, March 1, 1999.

Final, Statutory, March 31, 2000.

**Abstract:** A proposed rule addressing WIC Food Delivery Systems was published on December 28, 1990 (55 FR 53446). The Department provided a 120-day comment period for the proposed rule, which closed on April 28, 1991. Nearly 1,100 comments were received from a wide variety of sources. Despite the degree of preliminary input to the December 28, 1990, proposed rule, many of the commenters responding during the formal comment period suggested that the Department's food delivery regulations be proposed again, rather than proceeding directly to a final rule. In addition, several members of Congress requested that the rule be repropounded in light of its impact on State agency food delivery systems. Therefore, the Department has issued a second proposed rule addressing WIC food delivery systems and requirements. This second rule addresses many of the provisions contained in the previous rulemaking and contains modifications to some of the proposed provisions, as well as clarifications of several provisions that may not have been clearly understood

in the earlier rule. See also RIN 0584-AC50 for related provisions that fulfill the statutory deadline.

**Timetable:**

Action	Date	FR Cite
NPRM	06/16/99	64 FR 32308
NPRM Comment Period End	09/14/99	
Final Action	09/00/00	

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** State, Local, Tribal

**Federalism:** This action may have federalism implications as defined in EO 13132.

**Agency Contact:** Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, Room 322, 3101 Park Center Drive, Alexandria, VA 22302  
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Email: sheri.ackerman@fns.usda.gov

**RIN:** 0584-AA80

**198. WIC: REQUIREMENTS FOR AND EVALUATION OF WIC PROGRAM REQUESTS FOR BIDS FOR INFANT FORMULA REBATE CONTRACTS**

**Priority:** Economically Significant. Major under 5 USC 801.

**Legal Authority:** 42 USC 1786

**CFR Citation:** 7 CFR 246

**Legal Deadline:** None

**Abstract:** At the time the current cost containment regulations were published in 1989, there were only minor differences in infant formula wholesale prices and few differences in types of infant formulas offered by manufacturers; i.e., milk- and soy-based infant formula. However, current wholesale prices vary considerably among manufacturers for similar formulas and several new infant formulas have emerged on the market over the last decade. Therefore, to reflect market changes in the infant formula industry and to optimize competition in the WIC Program's infant formula rebate contracts, this interim rule would require WIC State agencies to award infant formula rebate contracts based on the lowest net price, allowing highest gross rebate as a basis of award only when retail prices of the different brands of infant formula vary, on average, by 5 percent or less. Additionally, this rule would define the types and forms of infant formula that must be included in cost containment systems. It would also expand on conditions that must be met for the issuance of infant formulas not covered by rebate contracts. (92-013)

**Timetable:**

Action	Date	FR Cite
NPRM	07/16/98	63 FR 38343
NPRM Comment Period End	09/14/98	
Interim Final Rule	07/00/00	
Final Action	07/00/01	

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**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** Businesses, Governmental Jurisdictions**Government Levels Affected:** State, Local, Tribal**Procurement:** This is a procurement-related action for which there is a statutory requirement. There is a paperwork burden associated with this action.**Agency Contact:** Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, Room 322, 3101 Park Center Drive, Alexandria, VA 22302  
Phone: 703 305-2246  
Email: sheri.ackerman@fns.usda.gov**RIN:** 0584-AB52**199. FOOD STAMP PROGRAM: ANTICIPATING INCOME AND REPORTING CHANGES****Priority:** Other Significant**Unfunded Mandates:** This action may affect State, local or tribal governments.**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 7 USC 2011 to 2032**CFR Citation:** 7 CFR 272; 7 CFR 273**Legal Deadline:** None**Abstract:** This rule revises Food Stamp Program procedures for reporting and acting on changes in earned income. The changes are designed to increase State agency flexibility and improve procedures for determining the eligibility and benefits of households whose income fluctuates unpredictably. Under this rule, State agencies would choose from four different reporting requirements for households with earned income. The reporting requirement a State agency selects would replace the current requirement that households report a change of more than \$25 in earned income. In addition to reporting a change in source of income, households would be required to report one of the following: A change in wage rate or salary and a change in part-time or full-time status, provided the household is certified for no more than 3 months; a change in wage rate or salary and

a change of more than 5 hours a week that is expected to continue for more than a month; or a change in the amount earned of more than \$100 a month. The reporting requirement for changes in unearned income would be increased to changes of more than \$50 a month from the current threshold of changes of more than \$25 a month. In addition to the above reporting options, State agencies would also be able to select the option of requiring households to report changes through a quarterly reporting system rather than at the time the changes become known to the household. (93-005)

**Timetable:**

Action	Date	FR Cite
NPRM	12/17/96	61 FR 66233
NPRM Comment Period End	02/18/97	
Final Action	10/00/00	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** Federal, State, Local**Agency Contact:** Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, Room 322, 3101 Park Center Drive, Alexandria, VA 22302  
Phone: 703 305-2246  
Email: sheri.ackerman@fns.usda.gov**RIN:** 0584-AB57**200. FOOD STAMP PROGRAM: PAYMENT OF CERTAIN ADMINISTRATIVE COSTS OF STATE AGENCIES****Priority:** Other Significant**Legal Authority:** 7 USC 2011 to 2032; PL 103-66, sec 13961**CFR Citation:** 7 CFR 277**Legal Deadline:** Other, Statutory, April 1, 1994, The Act requires funding rate reduction effective 04/01/94.**Abstract:** State agencies are reimbursed by FNS at standard or enhanced Federal reimbursement level for all allowable costs incurred in the State's operation of the Food Stamp Program. This final rule would reduce the Federal reimbursement rate for State agencies for fraud control, system development, and immigration status verification to the standard 50 percent rate. It would also limit the time period during which State agencies may file a claim for retroactive funding, and

allows the incremental cost of certifying Temporary Assistance for Needy Families households for food stamps to be charged to the Food Stamp Program for purposes of Federal reimbursement. (93-010)

**Timetable:**

Action	Date	FR Cite
NPRM	11/22/94	59 FR 60079
NPRM Comment Period End	01/23/95	
Final Action	04/00/00	
Final Action Effective	07/00/00	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** Local, State**Agency Contact:** Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, Room 322, 3101 Park Center Drive, Alexandria, VA 22302  
Phone: 703 305-2246  
Email: sheri.ackerman@fns.usda.gov**RIN:** 0584-AB66**201. FOOD STAMP PROGRAM: FOOD STAMP RECIPIENT CLAIM ESTABLISHMENT AND COLLECTION STANDARDS****Priority:** Economically Significant. Major under 5 USC 801.**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 7 USC 2011 to 2032**CFR Citation:** 7 CFR 272; 7 CFR 273**Legal Deadline:** None**Abstract:** The Food and Nutrition Service is revising Food Stamp Program regulations that cover the establishment and collection of recipient claims. This action is the result of the enactment of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) and is consistent with the President's regulatory reform effort. In addition, this rule revises existing discretionary areas to improve claim establishment and promote effective management. State agencies are responsible for establishing and collecting recipient claims. The inability of State agencies to efficiently and effectively establish and collect claims has continuously been cited as

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a deficiency by the Department's Office of Inspector General. The last significant revision to these regulations was in 1983. Subsequent activities, such as technical advances and general debt management regulations, have rendered many portions of the current regulations obsolete. In addition, the current regulations place unnecessary burdens on State agencies.

**Timetable:**

Action	Date	FR Cite
NPRM	05/28/98	63 FR 29303
NPRM Comment Period End	08/26/98	
Final Action	04/00/00	
Final Action Effective	04/00/01	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** State, Local

**Federalism:** This action may have federalism implications as defined in EO 13132.

**Agency Contact:** Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, Room 322, 3101 Park Center Drive, Alexandria, VA 22302  
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**RIN:** 0584-AB88

**202. FOOD STAMP PROGRAM: REVISIONS TO THE RETAIL FOOD STORE DEFINITION AND PROGRAM AUTHORIZATION GUIDANCE**

**Priority:** Other Significant

**Legal Authority:** PL 103-225; 7 USC 2012; 7 USC 2018

**CFR Citation:** 7 CFR 271; 7 CFR 278

**Legal Deadline:** Final, Statutory, March 25, 1994.

**Abstract:** This rule would implement provisions of Public Law 103-225 requiring firms to offer a variety of staple food items for sale or to have more than 50 percent of gross retail sales in staple foods. This rule also addresses the requirement in Public Law 103-225 to provide periodic notices to participating firms, clarifying certain eligibility criteria. (95-003)

**Timetable:**

Action	Date	FR Cite
NPRM	06/30/99	64 FR 35082

Action	Date	FR Cite
NPRM Comment Period End	08/30/99	
Final Action	08/00/00	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, Room 322, 3101 Park Center Drive, Alexandria, VA 22302  
Phone: 703 305-2246  
Email: sheri.ackerman@fns.usda.gov

**RIN:** 0584-AB90

**203. FOOD STAMP PROGRAM: RETAILER APPLICATION PROCESSING**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 7 USC 2011 to 2032; PL 104-193

**CFR Citation:** 7 CFR 278.1

**Legal Deadline:** None

**Abstract:** This rule would increase from 30 to 45 days the initial application processing time frame for stores that apply for authorization. It would also allow FNS to request specific documentation to verify applicant firms' eligibility. Such information would include, but would not be limited to, business licenses, photographic identification cards, bills of sale, deeds, leases, sales contracts, certificates of incorporation, sales records, invoice records, and tax records. This documentation would be used to confirm self-reported information provided on the application form and to obtain third-party verification. This rule also includes two provisions dealing with disclosure of retailer tax information based on changes made by Public Law 104-193, the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA). (95-008)

**Timetable:**

Action	Date	FR Cite
NPRM	11/03/99	64 FR 59665
NPRM Comment Period End	01/03/00	
Final Action	09/00/00	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, Room 322, 3101 Park Center Drive, Alexandria, VA 22302  
Phone: 703 305-2246  
Email: sheri.ackerman@fns.usda.gov

**RIN:** 0584-AC05

**204. NATIONAL SCHOOL LUNCH PROGRAM AND SCHOOL BREAKFAST PROGRAM: ADDITIONAL MENU PLANNING ALTERNATIVES**

**Priority:** Other Significant

**Legal Authority:** PL 104-149

**CFR Citation:** 7 CFR 210; 7 CFR 220

**Legal Deadline:** None

**Abstract:** Public Law 104-149, enacted on May 29, 1996, establishes additional menu planning alternatives for the school meals programs and requires the Secretary to establish guidelines for the use of these additional alternatives. One alternative specified in the statute was the meal pattern in effect for the 1994-95 school year; the other was "any reasonable approach." This regulation would reestablish the meal pattern as a menu planning alternative and provide guidelines for school food authorities to develop a different approach to menu planning. (96-017)

**Timetable:**

Action	Date	FR Cite
NPRM	05/04/98	63 FR 24686
NPRM Comment Period End	11/02/98	
Final Action	04/00/00	
Final Action Effective	05/00/00	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** State, Local

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**RIN:** 0584-AC38

## USDA—FNS

## Final Rule Stage

**205. FSP: PERSONAL RESPONSIBILITY PROVISIONS OF THE PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT OF 1996**

**Priority:** Economically Significant. Major under 5 USC 801.

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** PL 104-193

**CFR Citation:** 7 CFR 271; 7 CFR 272; 7 CFR 273

**Legal Deadline:** Other, Statutory, August 22, 1996, for PL 104-193 sec 813, 814, 820, 821, 837, and 911. Other, Statutory, November 22, 1996, for PL 104-193 sec 824. Other, Statutory, July 1, 1997, for PL 104-193 sec 115.

**Abstract:** This rule will implement 13 provisions of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996. (96-019)

**Timetable:**

Action	Date	FR Cite
NPRM	12/17/99	64 FR 70920
NPRM Comment Period End	02/15/00	
Final Action	03/00/01	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** Federal, State, Local

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**RIN:** 0584-AC39

**206. FSP: NONDISCRETIONARY PROVISIONS OF THE PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT OF 1996**

**Priority:** Economically Significant. Major under 5 USC 801.

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** PL 104-193, sec 803; PL 104-193, sec 804; PL 104-193, sec 805; PL 104-193, sec 809; PL 104-193, sec 810; PL 104-193, sec 838; PL 104-193, sec 109; PL 104-193, sec 826

**CFR Citation:** 7 CFR 271.2; 7 CFR 273.1; 7 CFR 273.2; 7 CFR 273.8; 7 CFR 273.9; 7 CFR 273.10; 7 CFR 276.2(e)

**Legal Deadline:** Other, Statutory, August 22, 1996, for PL 104-193 sec 803, 805 and 838.

Other, Statutory, October 1, 1996, for PL 104-193 sec 804 and 810.

Other, Statutory, January 1, 1997, for PL 104-193 sec 809.

For provisions effective upon enactment, the statutory implementation date is August 22, 1996.

**Abstract:** This final rule amends the Food Stamp Program regulations to implement eight provisions of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996. These provisions require no interpretation or discretion: 1) Freeze the minimum allotment at \$10; 2) change the way the maximum allotments are calculated to use 100% of the Thrifty Food Plan as opposed to 103%; 3) freeze the standard deduction at current level and eliminate the adjustment procedures; 4) cap the excess shelter expense deduction; 5) change the household composition definition so that children under 22 years of age and living with their parents cannot be a separate household; 6) increase the timeframe from 5 to 7 days for expedited service; 7) set a time limit of not more than 90 days living in another person's house for considering a person homeless; and 8) set the fair market value of vehicles at \$4,600 through 9/30/96 and raise it to \$4,650 effective 10/1/96 and eliminate future adjustments. (96-021)

**Timetable:**

Action	Date	FR Cite
NPRM	07/12/99	64 FR 37454
NPRM Comment Period End	09/10/99	
Final Action	08/00/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** State, Local

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**RIN:** 0584-AC41

**207. ELECTRONIC BENEFIT TRANSFER (EBT) PROVISIONS OF THE PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT OF 1996**

**Priority:** Other Significant

**Legal Authority:** PL 104-193, sec 825

**CFR Citation:** 7 CFR 274.3; 7 CFR 274.12

**Legal Deadline:** Other, Statutory, August 22, 1996, for PL 104-193 sec 803, 805, and 838.

Other, Statutory, October 1, 1996, for PL 104-193 sec 804 and 810.

Other, Statutory, January 1, 1997, for PL 104-193 sec 809.

States must have EBT implemented by October 1, 2002.

**Abstract:** On August 22, 1996, the President signed the Personal Responsibility and Work Opportunity Act of 1996 (Pub. L. 104-193). This rule proposes to implement the Electronic Benefit Transfer (EBT) provisions found in section 825 of this law which affect the Food Stamp Program. These provisions are meant to encourage implementation of EBT systems to replace food stamp coupons. (96-024)

**Timetable:**

Action	Date	FR Cite
NPRM	05/27/99	64 FR 28763
NPRM Comment Period End	07/26/99	
Final Action	07/00/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** Federal, State

**Agency Contact:** Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, Room 322, 3101 Park Center Drive, Alexandria, VA 22302  
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**RIN:** 0584-AC44

## USDA—FNS

## Final Rule Stage

**208. FOOD STAMP PROGRAM: WORK PROVISIONS OF THE PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT OF 1996****Priority:** Other Significant**Legal Authority:** PL 104-193**CFR Citation:** 7 CFR 273.7; 7 CFR 273.22**Legal Deadline:** None

**Abstract:** This proposed rule will implement revisions to the Food Stamp Program's work and employment and training requirements, as well as new provisions for a work supplementation or support program and an employment initiative program. (96-025)

**Timetable:**

Action	Date	FR Cite
NPRM	12/23/99	64 FR 72196
NPRM Comment Period End	02/22/00	
Final Action	06/00/00	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** State, Local

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**RIN:** 0584-AC45**209. SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WIC: IMPLEMENTATION OF WIC-RELATED PROVISIONS OF PUBLIC LAW 104-193, PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT OF 1996****Priority:** Other Significant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 42 USC 1786**CFR Citation:** 7 CFR 246**Legal Deadline:** None

**Abstract:** This rule would implement the WIC-related provisions of Public Law 104-193, the Personal Responsibility and Work Opportunity

Act of 1996. These provisions include: Revision to the definition of homeless individual; and the elimination of several current requirements including annual evaluation of nutrition education and breastfeeding promotion and support efforts, provision of written information on certain programs, and timeframes for action on local agency applications for program participation. (96-031)

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	04/00/00	
Interim Final Rule Comment Period End	07/00/00	
Final Action	03/00/01	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** Federal, State, Local, Tribal

**Agency Contact:** Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, Room 322, 3101 Park Center Drive, Alexandria, VA 22302  
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**RIN:** 0584-AC51**210. FOOD STAMP PROGRAM: ELECTRONIC BENEFITS TRANSFER (EBT) BENEFIT ADJUSTMENTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 7 USC 2011 to 2032**CFR Citation:** 7 CFR 273; 7 CFR 274**Legal Deadline:** None

**Abstract:** This rule will allow States and/or their EBT processors to make adjustments to an EBT household's food stamp account under certain circumstances. Current regulations do not allow adjustments to a household's EBT account balance once the benefits have been made available to the household. Occasionally, however, system errors and other malfunctions result in out-of-balance settlement conditions which must be adjusted manually. This rule describes the conditions under which an adjustment is allowed and the accompanying notice requirements. The rule also makes changes to the representation formula. (97-009)

**Timetable:**

Action	Date	FR Cite
NPRM	05/19/98	63 FR 27511

Action	Date	FR Cite
NPRM Comment Period End	07/20/98	
Interim Final Rule	09/09/99	64 FR 48933
Interim Final Rule Effective	10/12/99	
Interim Final Rule Comment Period End	11/08/99	
Interim Final Rule State Implementation	03/07/00	
Final Action	07/00/00	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None

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**RIN:** 0584-AC61**211. FOOD STAMP PROVISIONS OF THE BALANCED BUDGET ACT OF 1997****Priority:** Economically Significant. Major under 5 USC 801.**Legal Authority:** PL 105-33, sec 1001; PL 105-33, sec 1002; PL 105-33, sec 1005**CFR Citation:** 7 CFR 272.1(g); 7 CFR 273.7(c); 7 CFR 273.7(d); 7 CFR 273.24

**Legal Deadline:** Final, Statutory, August 5, 1998, PL 105-33, sec 1005 requires publication of a rule implementing title I provisions of that Act no later than 1 yr. after date of enactment. PL 105-33 was enacted 8/5/97.

**Abstract:** This rule will implement two food stamp provisions of the Balanced Budget Act of 1997. The first provision provides State agencies the authority to exempt from the food stamp time-limit at section 6(o)(2) of the Food Stamp Act a food stamp time-limit up to 15 percent of the State's caseload that is subject to the requirement. The second provision provides additional funding for administration of the Food Stamp Employment and Training (E&T) Programs. These two provisions enhance State flexibility in exempting portions of a State agency's caseload from the food stamp time limit and increase significantly the funding available to create work opportunities

## USDA—FNS

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for recipients that are subject to the time limit. (97-011)

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	09/03/99	64 FR 48246
Final Action	06/00/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** State, Local

**Agency Contact:** Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, Room 322, 3101 Park Center Drive, Alexandria, VA 22302  
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**RIN:** 0584-AC63

**212. WIC: CERTIFICATION INTEGRITY**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 42 USC 1786

**CFR Citation:** 7 CFR 246

**Legal Deadline:** None

**Abstract:** This interim rule implements three WIC certification requirements contained in Public Law 105-336, the William F. Goodling Child Nutrition Reauthorization Act of 1998, enacted October 31, 1998. Public Law 105-336 requires: (1) The physical presence of applicants at certification, except in certain circumstances; (2) documentation of an applicant's income, except in certain circumstances; and (3) State agencies to implement a system designed to identify participants participating at more than one WIC site. (98-011)

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	01/21/00	65 FR 3375
Final Action	10/00/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** State, Local, Tribal

**Agency Contact:** Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, Room 322, 3101 Park Center Drive, Alexandria, VA 22302  
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**RIN:** 0584-AC76

**213. FOOD DISTRIBUTION PROGRAM: DELETION OF REQUIREMENT TO EVALUATE STATE-RUN COMMODITY DISTRIBUTION AND WAREHOUSING SYSTEMS EVERY THREE YEARS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** PL 100-237

**CFR Citation:** 7 CFR 250.14; 7 CFR 250.15

**Legal Deadline:** None

**Abstract:** Section 250.14(a) currently requires State distributing agencies that operate their own warehousing and distribution system to make a cost comparison of that system with a commercial system every 3 years. Most State distributing agencies have now either switched to a commercial system or evaluated their own system at least twice and determined it to be the most cost effective. Therefore, we propose to remove that requirement from our regulations. We will maintain the authority to require a cost comparison when circumstances warrant. We are suggesting a direct final rule rather than a proposed rule because we do not expect any objections to this discretionary change. (99-001)

**Timetable:**

Action	Date	FR Cite
Direct Final Rule	05/00/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** State, Local

**Agency Contact:** Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, Room 322, 3101 Park Center Drive, Alexandria, VA 22302  
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**RIN:** 0584-AC79

**214. FDPIR: INCOME DEDUCTION AND MISCELLANEOUS PROVISION RULE**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 7 USC 2011-2032

**CFR Citation:** 7 CFR 253

**Legal Deadline:** None

**Abstract:** This rule proposes the establishment of two income deductions under the Food Distribution Program on Indian Reservations (FDPIR). Households providing proper

verification will be allowed an income deduction for: 1) Legally required child support payments for a nonhousehold member and 2) Medicare Part B premium payments. This rule would also make technical amendments, such as changing outdated terminology and revising or removing provisions that are obsolete or have changed. These changes are designed to improve program service to FDPIR participants. (99-003)

**Timetable:**

Action	Date	FR Cite
NPRM	01/14/00	65 FR 2358
NPRM Comment Period End	03/14/00	
Final Action	09/00/00	
Final Action Effective	11/00/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** State, Tribal

**Agency Contact:** Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, Room 322, 3101 Park Center Drive, Alexandria, VA 22302  
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**RIN:** 0584-AC81

**215. • FSP: MAXIMUM ALLOTMENTS FOR ALASKA, HAWAII, GUAM, AND THE VIRGIN ISLANDS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 7 USC 2011-2032

**CFR Citation:** None

**Legal Deadline:** Other, Statutory, October 1, 1999, Allotments are required to be updated and implemented every October 1.

**Abstract:** This notice updates for fiscal year 2000 the maximum allotment levels, which are the basis for determining the amount of food stamps which participating households receive, for Alaska, Hawaii, Guam, and the Virgin Islands. These adjustments, required by law, take into account changes in the cost of living and statutory adjustments since the amounts were last calculated (99-008).

**Timetable:**

Action	Date	FR Cite
Final Action	04/00/00	

**Regulatory Flexibility Analysis**

**Required:** No

## USDA—FNS

## Final Rule Stage

**Small Entities Affected:** No

**Government Levels Affected:** Federal, State, Local, Tribal

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**RIN:** 0584-AC87

**216. • FSP: MAXIMUM ALLOTMENTS FOR 48 STATES AND DC AND INCOME ELIGIBILITY STANDARDS AND DEDUCTIONS FOR 48 STATES AND DC, ALASKA, HAWAII, GUAM, AND THE VIRGIN ISLANDS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 7 USC 2011-2032

**CFR Citation:** None

**Legal Deadline:** Other, Statutory, October 1, 1999, Allotments are required to be updated and implemented every October 1.

**Abstract:** This notice updates for fiscal year 2000 the maximum allotment levels, which are the basis for determining the amount of food stamps which participating households receive and the gross and net income limits for food stamp eligibility. These adjustments, required by law, take into account changes in the cost of living and statutory adjustments since the amounts were last calculated. (99-009)

**Timetable:**

Action	Date	FR Cite
Final Action	04/00/00	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal, State, Local, Tribal

**Agency Contact:** Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition Service, Room 322, 3101 Park Center Drive, Alexandria, VA 22302  
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**RIN:** 0584-AC88

**DEPARTMENT OF AGRICULTURE (USDA)  
Food and Nutrition Service (FNS)**

**Long-Term Actions**

**217. CHILD AND ADULT CARE FOOD PROGRAM: CHILD NUTRITION AND WIC REAUTHORIZATION ACT AMENDMENTS AND HEALTHY MEALS FOR HEALTHY AMERICANS ACT OF 1994**

**Priority:** Other Significant

**CFR Citation:** 7 CFR 226

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	02/26/98	63 FR 9721
Final Action	To Be	Determined

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** State, Local

**Agency Contact:** Sheri Ackerman  
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**RIN:** 0584-AC20

**218. FOOD STAMP PROGRAM REGULATORY REVIEW: CERTIFICATION OF ELIGIBLE HOUSEHOLDS**

**Priority:** Other Significant

**CFR Citation:** 7 CFR 273

**Timetable:**

Action	Date	FR Cite
NPRM	To Be	Determined

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** State, Local

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**RIN:** 0584-AC28

**DEPARTMENT OF AGRICULTURE (USDA)  
Food and Nutrition Service (FNS)**

**Completed Actions**

**219. CHILD AND ADULT CARE FOOD PROGRAM: AUTHORITY TO COLLECT OVERCLAIMS**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 7 CFR 226

**Completed:**

Reason	Date	FR Cite
Final Action	12/27/99	64 FR 72257
Final Action Effective	01/26/00	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** State

**Agency Contact:** Sheri Ackerman  
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**RIN:** 0584-AB19

**220. DIRECT CERTIFICATION IN NATIONAL SCHOOL LUNCH, SCHOOL BREAKFAST, AND SPECIAL MILK PROGRAMS**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 7 CFR 245

**Completed:**

Reason	Date	FR Cite
Final Action	12/28/99	64 FR 72466
Final Action Effective	01/27/00	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Local, State

**Agency Contact:** Sheri Ackerman  
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**RIN:** 0584-AB35



## USDA—FNS

## Completed Actions

**221. FOOD DISTRIBUTION PROGRAM ON INDIAN RESERVATIONS: DEFINITION OF INDIAN TRIBAL HOUSEHOLD****Priority:** Other Significant**CFR Citation:** 7 CFR 253; 7 CFR 254**Completed:**

Reason	Date	FR Cite
Final Action	12/29/99	64 FR 72908
Final Action Effective	12/29/99	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** State, Tribal**Agency Contact:** Sheri Ackerman  
Phone: 703 305-2246  
Email: sheri.ackerman@fns.usda.gov**RIN:** 0584-AB67**222. AMENDMENTS TO THE INFANT MEAL PATTERN****Priority:** Other Significant**CFR Citation:** 7 CFR 210; 7 CFR 220; 7 CFR 226**Completed:**

Reason	Date	FR Cite
Interim Final Rule	11/15/99	64 FR 61770
Interim Final Rule Effective	12/15/99	
Interim Final Rule Comment Period End	05/15/00	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** State, Local**Agency Contact:** Sheri Ackerman  
Phone: 703 305-2246  
Email: sheri.ackerman@fns.usda.gov**RIN:** 0584-AB81**223. SUMMER FOOD SERVICE PROGRAM: PROGRAM MEAL SERVICE DURING THE SCHOOL YEAR****Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 225**Completed:**

Reason	Date	FR Cite
Final Action	12/29/99	64 FR 72889
Final Action Effective	01/28/00	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** State, Local**Agency Contact:** Sheri Ackerman  
Phone: 703 305-2246  
Email: sheri.ackerman@fns.usda.gov**RIN:** 0584-AC06**224. FOOD STAMP PROGRAM: WELFARE REFORM MATCHING, FAIR HEARINGS AND RECIPIENT SERVICE RULE****Priority:** Other Significant. Major under 5 USC 801.**CFR Citation:** 7 CFR 272; 7 CFR 273.15; 7 CFR 274; 7 CFR 277**Completed:**

Reason	Date	FR Cite
Withdrawn--Incorporated into RIN 0584-AC40	12/03/99	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Federal, State, Local**Agency Contact:** Sheri Ackerman  
Phone: 703 305-2246  
Email: sheri.ackerman@fns.usda.gov**RIN:** 0584-AC22**225. IMPLEMENTATION OF LEGISLATIVE REFORMS IN THE SUMMER FOOD SERVICE PROGRAM****Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 225**Completed:**

Reason	Date	FR Cite
Interim Final Rule	12/28/99	64 FR 72474
Interim Final Rule Effective	01/27/00	
Interim Final Rule Comment Period End	06/25/00	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** State**Agency Contact:** Sheri Ackerman  
Phone: 703 305-2246  
Email: sheri.ackerman@fns.usda.gov**RIN:** 0584-AC23**226. WIC: BLOODWORK REQUIREMENTS****Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 246**Completed:**

Reason	Date	FR Cite
Final Action	12/16/99	64 FR 70173
Final Action Effective	01/18/00	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** State, Local, Tribal**Agency Contact:** Sheri Ackerman  
Phone: 703 305-2246  
Email: sheri.ackerman@fns.usda.gov**RIN:** 0584-AC30**227. PART 240, CASH IN LIEU OF DONATED FOODS AND PART 250, FOOD DISTRIBUTION REGULATIONS****Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 240; 7 CFR 250**Completed:**

Reason	Date	FR Cite
Withdrawn--Due to administrative & legislative changes in program.	02/03/00	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** State**Agency Contact:** Sheri Ackerman  
Phone: 703 305-2246  
Email: sheri.ackerman@fns.usda.gov**RIN:** 0584-AC31**228. FOOD DISTRIBUTION PROGRAM: REGULATORY IMPLEMENTATION OF PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT OF 1996 (PUB.L. 104-193, 110 STAT 2105)****Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 250(Revision); 7 CFR 251(Revision)**Completed:**

Reason	Date	FR Cite
Final Action	12/29/99	64 FR 72898
Final Action Effective	02/28/00	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** State**Agency Contact:** Sheri Ackerman  
Phone: 703 305-2246  
Email: sheri.ackerman@fns.usda.gov**RIN:** 0584-AC49

## USDA—FNS

## Completed Actions

**229. FOOD DISTRIBUTIONS PROGRAMS: COMMODITY ACCEPTABILITY REPORT****Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 250.13(k)**Completed:**

Reason	Date	FR Cite
Withdrawn-- Superseded by legislation.	02/02/00	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** State, Local, Tribal**Agency Contact:** Sheri Ackerman

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**RIN:** 0584-AC56**230. FOOD DISTRIBUTION PROGRAM ON INDIAN RESERVATIONS: DISQUALIFICATION PENALTIES FOR INTENTIONAL PROGRAM VIOLATIONS****Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 253**Completed:**

Reason	Date	FR Cite
Final Action	12/30/99	64 FR 73381
Final Action Effective	02/28/00	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** State, Tribal**Agency Contact:** Sheri Ackerman

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**RIN:** 0584-AC65**231. FSP: EBT SYSTEM SAS NO. 70 AUDIT REQUIREMENTS****Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 274.12**Completed:**

Reason	Date	FR Cite
Final Action	02/29/00	65 FR 10675
Final Action Effective	03/30/00	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None**Agency Contact:** Sheri Ackerman

Phone: 703 305-2246

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**RIN:** 0584-AC71**232. WIC: LOCAL AGENCY EXPENDITURE REPORTS****Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 246**Completed:**

Reason	Date	FR Cite
Final Action	11/09/99	64 FR 61015
Final Action Effective	01/24/00	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** Federal, State, Local, Tribal**Agency Contact:** Sheri Ackerman

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**RIN:** 0584-AC74**233. WIC: WIC FUNDING PROVISIONS OF PUBLIC LAW 105-336****Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 246**Completed:**

Reason	Date	FR Cite
Final Action	12/06/99	64 FR 67997
Final Action Effective	10/01/98	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** Federal, State, Local, Tribal**Agency Contact:** Sheri Ackerman

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**RIN:** 0584-AC77**234. MODIFICATION OF THE "VEGETABLE PROTEINS PRODUCTS" REQUIREMENTS FOR THE NATIONAL SCHOOL LUNCH PROGRAM, SCHOOL BREAKFAST PROGRAM, SUMMER FOOD SERVICE PROGRAM, AND CHILD AND ADULT CARE FOOD PROGRAM****Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 210; 7 CFR 220; 7 CFR 225; 7 CFR 226**Completed:**

Reason	Date	FR Cite
NPRM Comment Period Extended	11/19/99	
Final Action	03/09/00	65 FR 12429
Final Action Effective	04/10/00	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None**Agency Contact:** Sheri Ackerman

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**RIN:** 0584-AC82**235. WAIVER AUTHORITY TO IMPLEMENT PILOT PROJECTS RESULTING FROM RECOMMENDATIONS FROM "FOOD DISTRIBUTION 2000: TRANSFORMING FOOD DISTRIBUTION FOR THE NEXT MILLENNIUM"****Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 250**Completed:**

Reason	Date	FR Cite
Withdrawn--No longer necessary.	02/03/00	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None**Agency Contact:** Sheri Ackerman

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**RIN:** 0584-AC83**236. • NSLP: PILOT PROJECTS, ALTERNATIVES TO FREE AND REDUCED-PRICE APPLICATION REQUIREMENTS AND VERIFICATION PROCEDURES****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 1751-1761, 1779**CFR Citation:** None**Legal Deadline:** None

**Abstract:** This notice announces pilot projects which would permit selected school food authorities and State agencies to test alternatives to the application procedures and verification process for households participating in the National School Lunch Program. This notice responds to recent data comparisons which suggest that the existing application procedures and verification process do not effectively deter misreporting of eligibility information. The results of these tests will be used in considering revisions to the current application and verification process to reduce the misreporting of eligibility information. Applications from school food authorities to conduct a pilot project were accepted through March 21, 2000. On March 21, the application deadline was extended to May 5, 2000. (99-010)

## USDA—FNS

## Completed Actions

**Timetable:**

Action	Date	FR Cite
Final Action	01/21/00	65 FR 3409

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Local

**Agency Contact:** Sheri Ackerman, Agency Regulatory Officer, Department of Agriculture, Food and Nutrition

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**RIN:** 0584-AC89

**BILLING CODE** 3410-30-F

## DEPARTMENT OF AGRICULTURE (USDA)

## Prerule Stage

## Food Safety and Inspection Service (FSIS)

**237. • OTHER CONSUMER PROTECTION ACTIVITIES**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 21 USC 601 and 451 et seq

**CFR Citation:** 9 CFR 317; 9 CFR 318; 9 CFR 319; 9 CFR 381

**Legal Deadline:** None

**Abstract:** The Food Safety and Inspection Service (FSIS) is publishing

this advance notice of proposed rulemaking to request comments on the need and desirability of revising its approach to verifying that meat and poultry products are not misbranded, economically adulterated, or otherwise unacceptable for reasons that do not necessarily raise food safety concerns. FSIS will refer to these program activities as "other consumer protection" (OCP) activities. This notice defines and describes FSIS' OCP activities and discusses the Agency's need for revised regulations and verification and enforcement procedures.

**Timetable:**

Action	Date	FR Cite
ANPRM	03/17/00	65 FR 14486
ANPRM Comment Period End	06/15/00	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

**Agency Contact:** Daniel L. Engeljohn, Director, Regulations Development and Analysis Division, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250  
Phone: 202 720-5276

**RIN:** 0583-AC64

## DEPARTMENT OF AGRICULTURE (USDA)

## Proposed Rule Stage

## Food Safety and Inspection Service (FSIS)

**238. TRANSPORTATION, STORAGE, AND OTHER HANDLING OF POTENTIALLY HAZARDOUS FOODS**

**Priority:** Other Significant. Major status under 5 USC 801 is undetermined.

**Unfunded Mandates:** Undetermined

**Legal Authority:** 21 USC 601 to 695; 21 USC 451 to 470

**CFR Citation:** 9 CFR 308; 9 CFR 317; 9 CFR 325; 9 CFR 381

**Legal Deadline:** None

**Abstract:** The Food Safety and Inspection Service (FSIS), in conjunction with the Food and Drug Administration (FDA), published an advance notice of proposed rulemaking (ANPRM) that addressed possible regulatory approaches to the transportation and storage of potentially hazardous foods (including meat and poultry products) and solicited comments and information from the public. FSIS and FDA have been considering various efforts to ensure that potentially hazardous foods outside of food processing

establishments will be handled in a way that will minimize the growth of pathogenic organisms or other hazards. FSIS now anticipates rulemaking under the Federal Meat Inspection Act and the Poultry Products Inspection Act on proposed handling standards and information to assure that the public is informed of the manner of handling required to maintain these products in a wholesome condition.

**Timetable:**

Action	Date	FR Cite
ANPRM	11/22/96	61 FR 59372
ANPRM Comment Period End	02/20/97	
NPRM	12/00/00	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Federalism:** Undetermined

**Agency Contact:** Daniel L. Engeljohn, Director, Regulations Development and Analysis Division, Department of

Agriculture, Food Safety and Inspection Service, Washington, DC 20250  
Phone: 202 720-5276

**RIN:** 0583-AC05

**239. GRANT AND INAUGURATION OF INSPECTION**

**Priority:** Other Significant. Major status under 5 USC 801 is undetermined.

**Unfunded Mandates:** Undetermined

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 21 USC 601 et seq

**CFR Citation:** 9 CFR 304; 9 CFR 305

**Legal Deadline:** None

**Abstract:** FSIS is proposing to streamline and clarify the regulations in 9 CFR parts 304 and 305, which provide for grant and inauguration of

USDA—FSIS

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inspection in meat and poultry establishments.

Under the current regulations, prior to commercial operation, establishments must apply for grant of inspection by submitting for FSIS review and approval establishment floor plans and blueprints, equipment specifications, and other information. If FSIS approves this information and grants inspection, a circuit supervisor visits the establishment to inform the operator of the applicable regulations. Subsequently, FSIS inspection is inaugurated and the establishment may begin manufacturing product for commercial distribution.

FSIS is proposing to streamline and clarify these requirements in light of (1) new section 304.3, under which compliance with requirements in the Agency's regulations on sanitation standard operating procedures and hazard analysis and critical control point systems (parts 416 and 417) are conditions for receiving inspection, and (2) eliminate the requirement that floor plans, blueprints, and equipment specifications be preapproved by FSIS before inspection is granted.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/00	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Daniel L. Engeljohn, Director, Regulations Development and Analysis Division, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250  
Phone: 202 720-5276

**RIN:** 0583-AC07

**240. PERFORMANCE STANDARD FOR THE CHILLING OR OTHER PROCESSING OF LIVESTOCK CARCASSES AND READY-TO-COOK POULTRY**

**Priority:** Other Significant. Major status under 5 USC 801 is undetermined.

**Unfunded Mandates:** Undetermined

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 21 USC 451 et seq; 21 USC 601 et seq

**CFR Citation:** 9 CFR 381

**Legal Deadline:** None

**Abstract:** FSIS is proposing to replace the regulations governing the chilling of poultry, including the specific time/temperature requirements, with a performance standard that both livestock and poultry slaughtering establishments would have to meet. The establishments would have to ensure that the chilling or other processing of livestock or poultry carcasses from which the hide, hair, or feathers have been removed ensures that bacterial populations on the carcasses are reduced or remain in the lag (or adjustment) phase of growth. Slaughtering establishments would be required to have data or information verifying that their procedures meet the standard. Verification data could be the results of microbiological tests or predictive mathematical modeling. This proposal is intended to provide the regulated industry with the flexibility it needs to design and implement innovative processes and control systems and improve consistency in the regulatory treatment of meat and poultry products. It is also consistent with FSIS's Pathogen Reduction/Hazard Analysis Critical Control Point Systems (HACCP) regulations.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/00	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Daniel L. Engeljohn, Director, Regulations Development and Analysis Division, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250  
Phone: 202 720-5276

**RIN:** 0583-AC21

**241. PERFORMANCE STANDARDS FOR READY-TO-EAT MEAT AND POULTRY PRODUCTS**

**Priority:** Other Significant. Major status under 5 USC 801 is undetermined.

**Unfunded Mandates:** Undetermined

**Legal Authority:** 21 USC 451 et seq; 21 USC 601 et seq

**CFR Citation:** 9 CFR 317; 9 CFR 381; 9 CFR 430

**Legal Deadline:** None

**Abstract:** FSIS is proposing to establish pathogen reduction performance standards for all ready-to-eat meat and poultry products. The performance standards spell out the objective level of pathogen reduction that establishments must meet during their operations in order to produce safe products but allow the use of customized, plant-specific processing procedures other than those prescribed in the earlier regulations. Along with HACCP, food safety performance standards will give establishments the incentive and flexibility to adopt innovative, science-based food safety processing procedures and controls, while providing objective, measurable standards that can be verified by Agency inspectional oversight. This set of performance standards will include and be consistent with those already in place for certain ready-to-eat meat and poultry products.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/00	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Daniel L. Engeljohn, Director, Regulations Development and Analysis Division, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250  
Phone: 202 720-5276

**RIN:** 0583-AC46

**242. PERFORMANCE STANDARDS FOR BACON**

**Priority:** Other Significant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

**Legal Authority:** 21 USC 601 et seq

**CFR Citation:** 9 CFR 318.7(b)

**Legal Deadline:** None

**Abstract:** FSIS is proposing to revise the regulatory provisions concerning the production and testing of bacon (9 CFR 318.7(b)). FSIS is proposing to remove provisions that require the Agency to test bacon for nitrosamines

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and to remove provisions that prescribe the substances and amounts of such substances that must be used to produce bacon. FSIS is proposing to replace these provisions with performance standards that establishments producing bacon must meet. To meet these proposed performance standards, the process used would be required to prevent the multiplication of *Clostridium botulinum* and limit the multiplication of *Clostridium perfringens*. In addition, the process would be required to limit the presence of nitrosamines when the product is cooked. Under the hazard analysis and critical control points (HACCP) system, establishments would incorporate the proposed performance standards into their HACCP plans.

FSIS is proposing these regulations in order to allow establishments to develop alternative means of producing bacon. In addition, FSIS is proposing these regulations to remove the Agency's testing responsibilities and to require establishments producing bacon, instead, to control and monitor their own processes.

**Timetable:**

Action	Date	FR Cite
NPRM	09/00/00	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Daniel L. Engeljohn, Director, Regulations Development and Analysis Division, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250  
Phone: 202 720-5276

**RIN:** 0583-AC49

**243. REFORM OF REGULATIONS ON IMPORTED LIVESTOCK AND POULTRY PRODUCTS**

**Priority:** Other Significant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

**Legal Authority:** 21 USC 451 et seq; 21 USC 601 et seq

**CFR Citation:** 9 CFR 327; 9 CFR 381

**Legal Deadline:** None

**Abstract:** As part of its continuing regulatory reform effort, FSIS is proposing to consolidate and streamline

the regulations governing the importation of livestock and poultry products to make them consistent with the regulatory approach the Agency has taken in its Pathogen Reduction/Hazard Analysis and Critical Control Points (PR/HACCP) regulations and related rulemakings. FSIS is proposing to eliminate obsolete provisions and, where appropriate, to replace command-and-control provisions with performance standards. The Agency is proposing to require establishments where import inspection is conducted to have documented process controls that parallel in some respects the HACCP and other documented systems that establishments where inspection of domestic products is conducted must have. The rulemaking stems from the Agency's commitment to its regulatory reform, reinventing government, effort to eliminate duplication and inconsistency in the regulations, and especially to make the regulations PR/HACCP consistent.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/00	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Agency Contact:** Daniel L. Engeljohn, Director, Regulations Development and Analysis Division, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250  
Phone: 202 720-5276

**RIN:** 0583-AC56

**244. AGENCY ORGANIZATION AND TERMINOLOGY**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 21 USC 451-470; 21 USC 601-695; 21 USC 1031-1056

**CFR Citation:** 9 CFR 300; 9 CFR 301; 9 CFR 306; 9 CFR 311; 9 CFR 320; 9 CFR 327; 9 CFR 381; 9 CFR 590; ...

**Legal Deadline:** None

**Abstract:** This rulemaking will amend FSIS's regulations by consolidating and

updating organizational provisions and definitions of various terms that, until now, have been addressed separately in regulations adopted under the Federal Meat Inspection Act, the Poultry Products Inspection Act, and, in some instances, the Egg Products Inspection Act. The rulemaking will complete a task that the Agency began in a December 31, 1998, final rule that added information on FSIS's current responsibilities and organizational structure to the Agency's regulations and reflected the current allocation of responsibilities within the Department by redesignating regulations adopted under the EPIA and transferring them to FSIS's regulations (from those of the Agricultural Marketing Service).

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/00	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Daniel L. Engeljohn, Director, Regulations Development and Analysis Division, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250  
Phone: 202 720-5276

**RIN:** 0583-AC57

**245. EGG PRODUCTS INSPECTION REGULATIONS**

**Priority:** Economically Significant. Major status under 5 USC 801 is undetermined.

**Unfunded Mandates:** Undetermined

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 21 U.S.C. 1031-1056

**CFR Citation:** 9 CFR 590.570; 9 CFR 590.575; 9 CFR 590.146; 9 CFR 590.10; 9 CFR 590.411; 9 CFR 590.502; 9 CFR 590.504; 9 CFR 590.580; 9 CFR 591; ...

**Legal Deadline:** None

**Abstract:** The Food Safety and Inspection Service (FSIS) is proposing to require egg products plants to develop and implement Hazard Analysis and Critical Control Points

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(HACCP) systems and Sanitation Standard Operating Procedures (SOPs). FSIS also is proposing pathogen reduction performance standards that would be applicable to pasteurized egg products. Plants would be expected to develop HACCP systems that ensure processed egg products meet the pathogen reduction performance standards. Finally, FSIS is proposing to amend the Federal shell egg and egg products inspection regulations by removing current requirements for prior approval by FSIS of egg products plant drawings, specifications, and equipment prior to their use in official plants. The Agency also plans to eliminate the prior label approval system for egg products, as well as require safe handling labels on shell eggs and egg products.

The actions being proposed are part of FSIS's regulatory reform effort to improve FSIS's shell egg and egg products food safety regulations, better define the roles of Government and the regulated industry, encourage innovations that will improve food safety, remove unnecessary regulatory burdens on inspected egg products plants, and make the shell egg and egg products regulations as consistent as possible with the Agency's livestock and poultry products regulations. FSIS is also taking these actions in light of changing inspection priorities and recent findings of salmonella in pasteurized egg products.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/00	

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses, Governmental Jurisdictions

**Government Levels Affected:** None

**Agency Contact:** Daniel L. Engeljohn, Director, Regulations Development and Analysis Division, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250  
Phone: 202 720-5276

**RIN:** 0583-AC58

**246. LABELING—GENERIC APPROVAL AND REGULATION CONSOLIDATION**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing

Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 21 USC 451-470; 21 USC 601-695

**CFR Citation:** 9 CFR 317; 9 CFR 327; 9 CFR 381; 9 CFR 412

**Legal Deadline:** None

**Abstract:** This rulemaking will continue an effort initiated several years ago by amending FSIS's regulations to expand the types of labeling that are generically approved. FSIS plans to propose that the submission of labeling for approval prior to use be limited to certain types of labeling, as specified in the regulations. In addition, FSIS plans to reorganize and amend the regulations by consolidating labeling rules that currently are stated separately for livestock products and poultry products (in part 317, subpart A, and part 381, subpart N, respectively) and by amending their provisions to set out clearly various circumstances under which these products are misbranded.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/00	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Undetermined

**Agency Contact:** Daniel L. Engeljohn, Director, Regulations Development and Analysis Division, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250  
Phone: 202 720-5276

**RIN:** 0583-AC59

**247. NUTRITION LABELING OF GROUND AND CHOPPED MEAT AND POULTRY PRODUCTS AND SINGLE-INGREDIENT PRODUCTS**

**Priority:** Other Significant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 21 USC 601 et seq; 21 USC 451 et seq

**CFR Citation:** 9 CFR 317; 9 CFR 381

**Legal Deadline:** None

**Abstract:** FSIS is proposing to amend the Federal meat and poultry products inspection regulations to require nutrition labeling of the major cuts of single-ingredient, raw meat and poultry

products. The Agency is proposing to require that nutrition information be provided for these products either on their label or at their point-of-purchase. FSIS is proposing to require nutrition labeling of the major cuts of single-ingredient, raw meat and poultry products because during the most recent surveys of retailers, the Agency did not find significant participation in the voluntary nutrition labeling program for single-ingredient, raw meat and poultry products.

In this proposed rule, FSIS is also proposing to amend its regulations to extend mandatory labeling to single-ingredient ground or chopped products. Under this proposal, individual retail packages of ground or chopped meat and ground or chopped poultry products would bear nutrition labeling. The Agency has determined that ground or chopped products are different from other single-ingredient products in several important respects. Thus, FSIS is proposing to make nutrition labeling requirements for ground or chopped products consistent with those for multi-ingredient products.

Finally, FSIS is proposing to amend the nutrition labeling regulations to provide that when a ground or chopped product does not meet the criteria to be labeled "low fat," a lean percentage claim may be included on the product label as long as a statement of the fat percentage also is displayed on the label.

**Timetable:**

Action	Date	FR Cite
NPRM	07/00/00	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Daniel L. Engeljohn, Director, Regulations Development and Analysis Division, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250  
Phone: 202 720-5276

**RIN:** 0583-AC60

## USDA—FSIS

## Proposed Rule Stage

**248. PATHOGEN REDUCTION; HAZARD ANALYSIS AND CRITICAL CONTROL POINTS (HACCP) SYSTEMS; ADDITIONS TO E. COLI CRITERIA AND SALMONELLA PERFORMANCE STANDARDS****Priority:** Other Significant**Legal Authority:** 21 USC 601 to 695; 21 USC 451 to 470**CFR Citation:** 9 CFR 310; 9 CFR 381**Legal Deadline:** None

**Abstract:** FSIS is proposing to add generic E. coli criteria and salmonella performance standards to the regulations. In addition, FSIS is proposing to revise the terms used to identify and define certain classes of product listed in the salmonella tables.

**Timetable:**

Action	Date	FR Cite
NPRM	08/00/00	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None

**Agency Contact:** Daniel L. Engeljohn, Director, Regulations Development and Analysis Division, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250  
Phone: 202 720-5276

**RIN:** 0583-AC63**249. • ELIMINATION OF REQUIREMENTS FOR TOTAL QUALITY CONTROL SYSTEMS****Priority:** Other Significant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 7 USC 394 et seq; 21 USC 451 et seq; 21 USC 601 et seq**CFR Citation:** 9 CFR 317; 9 CFR 318; 9 CFR 381**Legal Deadline:** None

**Abstract:** This proposed rule would amend the meat and poultry inspection regulations by removing all requirements relating to total quality control (TQC) systems. A TQC system is a comprehensive, planned documented system of activities intended to ensure the stability of processes and the uniformity of products throughout a manufacturing

plant. The proposal would remove the design requirements for TQC systems and the requirements for FSIS prior approval, or approval before implementation, of such systems. The proposal also would amend the regulations governing the operating schedules of official establishments to remove the provisions concerning establishments with approved TQC systems.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/00	
NPRM Comment Period End	01/00/01	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** State

**Agency Contact:** Daniel L. Engeljohn, Director, Regulations Development and Analysis Division, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250  
Phone: 202 720-5276

**RIN:** 0583-AC68**250. • INCORPORATION OF FOOD AND COLOR ADDITIVES INTO 21 CFR****Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 21 USC 602 et seq; 21 USC 451 et seq; 21 USC 321 et seq**CFR Citation:** 9 CFR 318.7; 9 CFR 381.147**Legal Deadline:** None

**Abstract:** This proposed rule will amend the meat and poultry inspection regulations by completing earlier efforts to incorporate current listings in 9 CFR into 21 CFR.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/00	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Daniel L. Engeljohn, Director, Regulations Development and

Analysis Division, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250  
Phone: 202 720-5276

Robert Post, Director, Department of Agriculture, Food Safety and Inspection Service, Labeling and Additives Policy Division, Washington, DC 20250  
Phone: 202 205-0279

**RIN:** 0583-AC69**251. • TRANSFER AND DEVELOPMENT OF SHELL EGG REQUIREMENTS****Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 21 USC 1031 et seq**CFR Citation:** Not Yet Determined**Legal Deadline:** None

**Abstract:** This docket will announce the new delegation and transfer of shell egg requirements from AMS to FSIS, as well as the development of any new and necessary shell egg requirements.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/00	

**Regulatory Flexibility Analysis****Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None

**Agency Contact:** Daniel L. Engeljohn, Director, Regulations Development and Analysis Division, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250  
Phone: 202 720-5276

**RIN:** 0583-AC70**252. • FEE INCREASE FOR EGG PRODUCTS INSPECTION—YEAR 2000****Priority:** Substantive, Nonsignificant**Legal Authority:** 21 USC 1031-1056**CFR Citation:** 9 CFR 590.126; 9 CFR 590.128(a); 9 CFR 590.130**Legal Deadline:** None

**Abstract:** The Food Safety and Inspection Service (FSIS) is proposing to increase the fees FSIS charges egg products plants for providing overtime

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and holiday inspection services. These proposed fee increases reflect the total cost of inspection, including the national and locality pay raise for Federal employees, applicable overhead costs, and other inspection costs. FSIS is proposing to make the fee increases effective 30 days after the final rule is published. The Agency is also proposing to amend 9 CFR 590.130 to delete the reference to regulations governing the voluntary inspection and grading of egg products.

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/00	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Daniel L. Engeljohn, Director, Regulations Development and Analysis Division, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250  
Phone: 202 720-5276

Michael B. Zimmerer, Director, Financial Management Division, Department of Agriculture, Food Safety and Inspection Service

Phone: 202 720-3367  
**RIN:** 0583-AC71

**253. • FOOD STANDARDS; GUIDING PRINCIPLES AND STANDARDS MODERNIZATION**

**Priority:** Other Significant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 21 USC 601 et seq; 21 USC 451 et seq

**CFR Citation:** Not Yet Determined

**Legal Deadline:** None

**Abstract:** The Food Safety and Inspection Service (FSIS) and the Food and Drug Administration (FDA) are proposing to modernize their food standards. The Agencies are proposing that the standards be reviewed and revised by outside parties and submitted to the Agencies via the petition process. The Agencies are proposing a set of guiding principles that interested parties outside the Agencies would use to establish, revise, or eliminate a food standard. The Agencies are proposing that petitions to establish standards or to revise or

eliminate existing standards adhere to these guiding principles. If the guiding principles are adopted in the regulations, the Agencies will encourage petitioners to submit revised food standards that follow the guiding principles and will review petitions submitted to ensure that they adhere to the guiding principles. If a petition does adhere to the guiding principles, the Agencies will publish proposed rules to establish, revise, or eliminate standards based on the petition.

**Timetable:**

Action	Date	FR Cite
NPRM	09/00/00	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** None

**Agency Contact:** Daniel L. Engeljohn, Director, Regulations Development and Analysis Division, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250  
Phone: 202 720-5276

Robert Post, Director, Department of Agriculture, Food Safety and Inspection Service, Labeling and Additives Policy Division, Washington, DC 20250  
Phone: 202 205-0279

**RIN:** 0583-AC72

DEPARTMENT OF AGRICULTURE (USDA)

Final Rule Stage

Food Safety and Inspection Service (FSIS)

**254. BEEF OR PORK WITH BARBECUE SAUCE; REVISION OF STANDARDS**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 21 USC 601 et seq

**CFR Citation:** 9 CFR 319

**Legal Deadline:** None

**Abstract:** The Food Safety and Inspection Service (FSIS) has been petitioned to amend the Federal meat inspection regulations by removing a meat yield requirement for the standardized products "Beef With Barbecue Sauce" and "Pork With Barbecue Sauce." Current regulations for these products require that the

product contain not less than 50 percent of the species identified on the label and that the weight of the cooked pork or beef not exceed 70 percent of the uncooked weight of the meat. The first requirement is consistent with other meat and sauce requirements, but the second requirement is not. The petitioner asserts that the product standard (promulgated in 1952) does not reflect current production practices or the commercial marketability of beef or pork with barbecue sauce. The petitioner further states that producers of these products are at a competitive disadvantage with other meat and sauce producers, because other meat and sauce producers do not have a 70 percent yield requirement. For example, producers of the standardized products "Beef with Gravy," "Meat Pies," and "Spaghetti with Meat and Sauce" and similar standardized

products do not have any meat yield requirements.

FSIS has determined that the petitioner's request should be granted. This action would permit fair competition between meat and barbecue sauce producers, and poultry and sauce producers, and would provide consistent requirements in both the meat and poultry inspection regulations.

**Timetable:**

Action	Date	FR Cite
NPRM	09/03/97	62 FR 46450
NPRM Comment Period End	11/03/97	
Final Action	09/00/00	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None



## USDA—FSIS

## Final Rule Stage

**Agency Contact:** Daniel L. Engeljohn, Director, Regulations Development and Analysis Division, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250  
Phone: 202 720-5276

**RIN:** 0583-AC09

### 255. ELIMINATION OF REQUIREMENTS FOR PARTIAL QUALITY CONTROL PROGRAMS

**Priority:** Other Significant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

**Legal Authority:** 21 USC 451 et seq; 21 USC 601 et seq

**CFR Citation:** 9 CFR 317; 9 CFR 318; 9 CFR 319; 9 CFR 381

**Legal Deadline:** None

**Abstract:** FSIS is developing a final rule that would amend the meat and poultry inspection regulations by removing most requirements pertaining to partial quality control (PQC) programs. A PQC program controls a single product, operation, or part of an operation in a meat or poultry establishment. The final rule is intended to remove the design requirements affecting most PQC programs that establishments have and most requirements for establishments to have PQC programs for certain products or processes. The final rule also is intended to remove from the thermal processing regulations the requirements for FSIS prior approval, or approval before use, of systems and devices not specified in the regulations and all requirements concerning PQC

programs. The final rule will make alternatives available to establishments under the thermal processing regulations for ensuring the safety of their products. The final rule is intended to allow establishments under inspection additional flexibility, consistent with the Pathogen Reduction/Hazard Analysis and Critical Control Points (HACCP) regulations, to adopt new technologies and methods that will improve food safety and other consumer protections.

**Timetable:**

Action	Date	FR Cite
NPRM	05/18/99	64 FR 26892
NPRM Comment Period End	07/19/99	
Final Rule	04/00/00	

**Regulatory Flexibility Analysis Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** Federal, State

**Agency Contact:** Daniel L. Engeljohn, Director, Regulations Development and Analysis Division, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250  
Phone: 202 720-5276

**RIN:** 0583-AC35

### 256. MEAT PRODUCED BY ADVANCED MEAT/BONE SEPARATION MACHINERY AND RECOVERY SYSTEMS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 21 USC 601 to 695

**CFR Citation:** 9 CFR 301.2; 9 CFR 318.24 (Revision); 9 CFR 320.1(b)(10)

**Legal Deadline:** None

**Abstract:** In 1994, the Food Safety and Inspection Service amended its regulations to recognize that product resulting from advanced meat/bone separation machinery comes within the definition of meat when recovery systems are operated to assure that the characteristics and composition of the resulting product are consistent with those of meat. Subsequent compliance problems and other concerns have made it apparent that the regulations are confusing and inadequate to prevent misbranding and economic adulteration. Therefore, FSIS is developing a rule to clarify the regulations and supplement the rules for assuring compliance. The Agency is reviewing information obtained since publication of the proposal and further rulemaking on the noncompliance criterion for bone marrow.

**Timetable:**

Action	Date	FR Cite
NPRM	04/13/98	63 FR 17959
NPRM Comment Period End	06/12/98	
Final Action	04/00/00	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Daniel L. Engeljohn, Director, Regulations Development and Analysis Division, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250  
Phone: 202 720-5276

**RIN:** 0583-AC51

## DEPARTMENT OF AGRICULTURE (USDA)

## Long-Term Actions

## Food Safety and Inspection Service (FSIS)

### 257. RETAINED WATER IN RAW MEAT AND POULTRY PRODUCTS; POULTRY-CHILLING PERFORMANCE STANDARDS

**Priority:** Economically Significant. Major under 5 USC 801.

**CFR Citation:** 9 CFR 317; 9 CFR 381; 9 CFR 440

**Timetable:**

Action	Date	FR Cite
NPRM	09/11/98	63 FR 48961

Action	Date	FR Cite
NPRM Comment Period End	12/10/98	
Next Action	Undetermined	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Daniel L. Engeljohn  
Phone: 202 720-5276

**RIN:** 0583-AC26

### 258. ANTE-MORTEM AND POST-MORTEM INSPECTION OF LIVESTOCK AND POULTRY

**Priority:** Other Significant. Major status under 5 USC 801 is undetermined.

**CFR Citation:** 9 CFR 309; 9 CFR 310; 9 CFR 381

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/01	

## USDA—FSIS

## Long-Term Actions

**Regulatory Flexibility Analysis**

Required: Yes

**Government Levels Affected:** State**Agency Contact:** Daniel L. Engeljohn  
Phone: 202 720-5276

RIN: 0583-AC43

**259. REQUIREMENTS FOR DISPOSITION AND DISPOSAL OF INSPECTED RAW MEAT AND POULTRY PRODUCTS****Priority:** Other Significant. Major status under 5 USC 801 is undetermined.**CFR Citation:** 9 CFR 311; 9 CFR 314; 9 CFR 320; 9 CFR 325; 9 CFR 381; 9 CFR 428; 9 CFR 455**Timetable:**

Action	Date	FR Cite
NPRM	11/00/01	

**Regulatory Flexibility Analysis**

Required: Yes

**Government Levels Affected:** State**Agency Contact:** Daniel L. Engeljohn  
Phone: 202 720-5276

RIN: 0583-AC44

**260. REWORKING OF MEAT AND POULTRY CARCASSES ACCIDENTALLY CONTAMINATED DURING EVISCERATION****Priority:** Other Significant**CFR Citation:** 9 CFR 310; 9 CFR 381; 9 CFR 433**Timetable:**

Action	Date	FR Cite
NPRM	11/00/01	
NPRM Comment	02/00/02	
Period End		

**Regulatory Flexibility Analysis**

Required: No

**Government Levels Affected:** None**Agency Contact:** Daniel L. Engeljohn

Phone: 202 720-5276

RIN: 0583-AC53

**261. FOOD LABELING; NUTRIENT CONTENT CLAIMS, DEFINITION OF THE TERM HEALTHY****Priority:** Substantive, Nonsignificant**CFR Citation:** 9 CFR 371; 9 CFR 381**Timetable:**

Action	Date	FR Cite
Interim Final Rule	12/28/99	64 FR 72490
Next Action	Undetermined	

**Regulatory Flexibility Analysis**

Required: No

**Government Levels Affected:** None**Agency Contact:** Daniel L. Engeljohn

Phone: 202 720-5276

Robert Post

Phone: 202 205-0279

RIN: 0583-AC65

## DEPARTMENT OF AGRICULTURE (USDA)

## Completed Actions

## Food Safety and Inspection Service (FSIS)

**262. SUBSTANCES APPROVED FOR USE IN THE PREPARATION OF MEAT AND POULTRY PRODUCTS****Priority:** Other Significant**CFR Citation:** 9 CFR 318; 9 CFR 381**Completed:**

Reason	Date	FR Cite
Final Action	12/23/99	64 FR 72167

**Regulatory Flexibility Analysis**

Required: Yes

**Government Levels Affected:** None**Agency Contact:** Daniel L. Engeljohn

Phone: 202 720-5276

Robert Post

Phone: 202 205-0279

RIN: 0583-AB02

**Government Levels Affected:** None**Agency Contact:** Daniel L. Engeljohn

Phone: 202 720-5276

RIN: 0583-AB74

**264. RULES OF PRACTICE****Priority:** Substantive, Nonsignificant**CFR Citation:** 9 CFR 304; 9 CFR 305; 9 CFR 306; 9 CFR 327; 9 CFR 335; 9 CFR 381; 9 CFR 500**Completed:**

Reason	Date	FR Cite
Final Action	11/29/99	64 FR 66541

**Regulatory Flexibility Analysis**

Required: Yes

**Government Levels Affected:** None**Agency Contact:** Daniel L. Engeljohn

Phone: 202 720-5276

RIN: 0583-AC34

**Completed:**

Reason	Date	FR Cite
Final Action	12/23/99	64 FR 72150

**Regulatory Flexibility Analysis**

Required: Yes

**Government Levels Affected:** None**Agency Contact:** Daniel L. Engeljohn

Phone: 202 720-5276

RIN: 0583-AC50

**266. LABELING OF FOOD UNDER THE VOLUNTARY NUTRITION LABELING PROGRAM; 1996 RETAIL SURVEY COMPLIANCE RESULTS****Priority:** Other Significant**CFR Citation:** 9 CFR 317; 9 CFR 381**Completed:**

Reason	Date	FR Cite
Merged With 0583-AC60	10/15/99	

**Regulatory Flexibility Analysis**

Required: No

**Government Levels Affected:** None**Agency Contact:** Daniel L. Engeljohn

Phone: 202 720-5276

RIN: 0583-AC55

**263. NUTRITION LABELING OF GROUND BEEF AND HAMBURGER****Priority:** Other Significant**CFR Citation:** 9 CFR 317; 9 CFR 381**Completed:**

Reason	Date	FR Cite
Merged With 0583-AC60	10/15/99	

**Regulatory Flexibility Analysis**

Required: Yes

**265. IRRADIATION OF MEAT AND MEAT PRODUCTS****Priority:** Economically Significant. Major under 5 USC 801.**CFR Citation:** 9 CFR 317; 9 CFR 318; 9 CFR 381

## USDA—FSIS

## Completed Actions

**267. • FOOD ADDITIVES FOR USE IN MEAT AND POULTRY PRODUCTS: SODIUM DIACETATE, SODIUM ACETATE, SODIUM LACTATE, AND POTASSIUM LACTATE****Priority:** Substantive, Nonsignificant**Legal Authority:** 21 USC 601 and 451 eq seq.**CFR Citation:** 9 CFR 424**Legal Deadline:** None

**Abstract:** The Food Safety and Inspection Service (FSIS) is amending the Federal meat and poultry products inspection regulations to increase permissible levels of sodium acetate as a flavor enhancer in meat and poultry products and of sodium diacetate as a flavor enhancer and as an inhibitor of the growth of certain pathogens. FSIS is also permitting the use of sodium lactate and potassium lactate in meat and poultry products, except for infant formulas and infant food, for purposes of inhibiting the growth of certain pathogens. FSIS is proceeding with this direct final rule in response to petitions submitted by Armour Swift-Ekrich and Purac America, Inc.

**Timetable:**

Action	Date	FR Cite
Final Action	01/20/00	65 FR 3121
Final Action Effective	03/20/00	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Robert Post, Director, Department of Agriculture, Food Safety and Inspection Service, Labeling and Additives Policy Division, Washington, DC 20250

Phone: 202 205-0279

**RIN:** 0583-AC66

establishments, importers, and exporters for providing voluntary inspection services, overtime and holiday inspection services, identification services, certification services, and laboratory services. The fee increases will be effective 1/1/00.

**Timetable:**

Action	Date	FR Cite
NPRM	11/10/99	64 FR 61223
NPRM Comment Period End	12/10/99	
Final Action	12/28/99	64 FR 72492

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Daniel L. Engeljohn, Director, Regulations Development and Analysis Division, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250  
Phone: 202 720-5276**RIN:** 0583-AC67**BILLING CODE 3410-DM-F**

## DEPARTMENT OF AGRICULTURE (USDA)

## Proposed Rule Stage

## Foreign Agricultural Service (FAS)

**269. EXPORT SALES REPORTING REQUIREMENT****Priority:** Other Significant**Legal Authority:** 7 USC 5712**CFR Citation:** 7 CFR 20**Legal Deadline:** None

**Abstract:** Consideration of a proposal to add meat and meat products to the list of commodities for which advanced notice of export is reported, and a streamlined electronic reporting system as the means to accomplish that reporting. A proposed rule will solicit public comments.

**Timetable:**

Action	Date	FR Cite
ANPRM	11/14/96	61 FR 58343
ANPRM Comment Period End	01/13/97	
NPRM	03/03/00	65 FR 11483
NPRM Comment Period End	05/03/00	
Final Action	10/00/00	

**Regulatory Flexibility Analysis****Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None**Agency Contact:** Kimberly Chisley, Regulatory Coordinator, Department of

Agriculture, Foreign Agricultural Service, Room 6087, South Building, 1400 Independence Avenue SW, Washington, DC 20250  
Phone: 202 720-2568  
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Email: chisleyk@fas.usda.gov

Tamoria Thompson, Regulatory Coordinator, Department of Agriculture, Foreign Agricultural Service, Room 6087, 1400 Independence Avenue SW, Washington, DC 20250  
Phone: 202 690-1690  
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**RIN:** 0551-AA51

## DEPARTMENT OF AGRICULTURE (USDA)

## Long-Term Actions

## Foreign Agricultural Service (FAS)

**270. CCC SUPPLIER CREDIT GUARANTEE PROGRAM****Priority:** Economically Significant**CFR Citation:** 7 CFR 1493**Timetable:**

Action	Date	FR Cite
NPRM	07/19/95	60 FR 37025
NPRM Comment Period End	09/18/95	

Interim Final Rule 07/01/96 61 FR 33825  
Final Action To Be Determined

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None

## USDA—FAS

## Long-Term Actions

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 Tamoria Thompson  
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**RIN:** 0551-AA30

**271. FACILITY GUARANTEE PROGRAM**

**Priority:** Other Significant  
**CFR Citation:** 7 CFR 17; 7 CFR 1493

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	03/01/93	58 FR 11786
Interim Final Rule Comment Period End	06/01/93	
Interim Final Rule	08/08/97	62 FR 42651
Interim Final Rule Comment Period End	10/07/97	
Final Action	To Be	Determined

**Regulatory Flexibility Analysis  
 Required:** No

**Government Levels Affected:** None

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 Tamoria Thompson  
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**RIN:** 0551-AA35

## DEPARTMENT OF AGRICULTURE (USDA)

## Foreign Agricultural Service (FAS)

## Completed Actions

**272. DAIRY TARIFF-RATE IMPORT QUOTING LICENSING**

**Priority:** Substantive, Nonsignificant  
**CFR Citation:** 7 CFR Part 6

**Completed:**

Reason	Date	FR Cite
Final Action	01/10/00	65 FR 1297
Final Action Effective	02/09/00	

**Regulatory Flexibility Analysis  
 Required:** No

**Government Levels Affected:** None

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**RIN:** 0551-AA58  
**BILLING CODE** 3410-10-F

## DEPARTMENT OF AGRICULTURE (USDA)

## Forest Service (FS)

## Proposed Rule Stage

**273. HYDROPOWER APPLICATIONS**

**Priority:** Substantive, Nonsignificant  
**Legal Authority:** 16 USC 551; 43 USC 1761  
**CFR Citation:** 36 CFR 251  
**Legal Deadline:** None

**Abstract:** The Forest Service is revising its current policy and procedures, implemented in February 1987, concerning administration of hydropower authorizations and the processing of proposals for hydropower projects affecting National Forest System lands. These revisions are necessary to make Agency policy and procedures consistent with regulatory changes by the Federal Energy Regulatory Commission (FERC). The proposed policy was published in the Federal Register on May 22, 1995 (60 FR 27153) for a 60-day public comment period, which was extended for another 45 days (60 FR 36401). As a result of the comments received, substantial changes were made to the proposed policy (60 FR 36401). Therefore, the

Forest Service is publishing a revised proposed policy for public comment.

**Timetable:**

Action	Date	FR Cite
NPRM	05/22/95	60 FR 27153
NPRM Comment Period Extended	07/17/95	60 FR 36401
NPRM Comment Period End	09/05/95	
Second NPRM	08/00/00	
Second NPRM Comment Period End	10/00/00	

**Regulatory Flexibility Analysis  
 Required:** No

**Government Levels Affected:** None

**Agency Contact:** Marian P. Connolly,  
 Regulatory Officer, Department of  
 Agriculture, Forest Service, P.O. Box  
 96090, Washington, DC 20090-6090  
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 Email: mconnoll/wo@fs.fed.us

**RIN:** 0596-AA47

**274. SMALL TRACTS ACT REGULATIONS**

**Priority:** Substantive, Nonsignificant  
**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 16 USC 521(c) to 521(i)

**CFR Citation:** 36 CFR 254

**Legal Deadline:** None

**Abstract:** Implementation of the Agency's Small Tracts regulations (adopted in 1984) has revealed an inadvertent inconsistency between the regulations at 36 CFR 254.35(f) and 254.41(a) and the legislative history of the Small Tracts Act of January 12, 1983. The regulations imply that the disposal of mineral fractions by sale can only be made in response to an application from an abutting landowner, thus discouraging the conveyance by sale to the public. The Act clearly authorizes sale of mineral

## USDA—FS

## Proposed Rule Stage

fractions to the public through public sale, as well as individual applications, provided that certain conditions are met. The revisions will clarify the application of the Act to ensure that both individual applications and public sale are permissible means of disposing of qualifying tracts.

**Timetable:**

Action	Date	FR Cite
NPRM	09/00/00	
NPRM Comment Period End	11/00/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Marian P. Connolly, Regulatory Officer, Department of Agriculture, Forest Service, P.O. Box 96090, Washington, DC 20090-6090  
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**RIN:** 0596-AA79

### 275. NATIONAL FOREST SYSTEM LAND AND RESOURCE MANAGEMENT PLANNING

**Priority:** Other Significant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 16 USC 1600 et seq; 5 USC 301

**CFR Citation:** 36 CFR 219

**Legal Deadline:** None

**Abstract:** On October 5, 1999, the Forest Service published a proposed rule to guide land and resource management planning for the National Forest System. The proposed planning framework makes sustainability the foundation for National Forest System planning and management and establishes requirements for implementation, monitoring, evaluation, amendment, and revision of land and resource management plans. The intended effects are to simplify, clarify, and otherwise improve the planning process to reduce burdensome and costly procedural requirements and to strengthen collaborative relationships with the public and other government entities. The comment period ends on January 4, 2000.

**Timetable:**

Action	Date	FR Cite
ANPRM	02/15/91	56 FR 6508
NPRM	04/13/95	60 FR 18886
NPRM Comment Period End	08/17/95	60 FR 36767
Second NPRM Comment Period Extended	10/05/99	64 FR 54074
Second NPRM Comment Period End	01/04/00	
Comment Period End	05/00/00	
Final Action	08/00/00	
Final Action Effective	09/00/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Marian P. Connolly, Regulatory Officer, Department of Agriculture, Forest Service, P.O. Box 96090, Washington, DC 20090-6090  
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**RIN:** 0596-AB20

### 276. SPECIES SURPLUS TO DOMESTIC MANUFACTURING NEEDS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 620 et seq

**CFR Citation:** 36 CFR 223.200

**Legal Deadline:** None

**Abstract:** This proposed rule would amend 36 CFR 223.200 to list species proposed to be surplus to domestic manufacturing needs. This proposed rule would implement a portion of section 620a(b) of the Forest Resources Conservation and Shortage Relief Act of 1990 (16 USC 620 et seq.). Section 620a(a) of the Act provides that no person who acquires unprocessed timber originating from Federal lands west of the 100th meridian in the contiguous 48 States may export such timber from the United States, or sell, trade, exchange, or otherwise convey such timber from the United States, unless such timber has been determined under subsection (b) to be surplus to the needs of timber manufacturing facilities in the United States. Section 620a(b) of the Act provides that the prohibition contained in section (a) shall not apply to specific quantities of grades and species of unprocessed timber originating in Federal lands which the Secretary determines, through rulemaking, to be

surplus to domestic manufacturing needs.

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/00	
NPRM Comment Period End	06/00/00	

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** Federal

**Agency Contact:** Marian P. Connolly, Regulatory Officer, Department of Agriculture, Forest Service, P.O. Box 96090, Washington, DC 20090-6090  
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**RIN:** 0596-AB27

### 277. APPEAL OF DECISIONS RELATING TO OCCUPANCY AND USE OF NATIONAL FOREST SYSTEM LANDS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 472; 16 USC 551

**CFR Citation:** 36 CFR 251; 36 CFR 214

**Legal Deadline:** None

**Abstract:** These proposed regulations would redesignate these appeals rules as a new part 214, thus placing all appeals and notices and comment rules in close proximity. Additionally, this proposed rule would revise a number of existing provisions. For example, changes to part 251 would clarify the application of this rule to the issuance of permits for occupancy and use of National Forest System lands. When 36 CFR part 251, subpart C, regulations were promulgated in 1989, NEPA analysis and documentation was not consistently applied to the authorization of special uses. Now the authorization and the issuance of permits and other authorization requires application of the NEPA process prior to issuance. In addition, since these regulations were implemented, Congress has passed the Appeal Reform Act. The proposed changes to the permit related appeal rules are needed to make this regulation consistent with regulations at 36 CFR part 215. Among specific proposed changes being considered are removing the second level of appeal opportunity, removing the discretionary

## USDA—FS

## Proposed Rule Stage

review option, shortening timeframes for scheduling oral presentations, and changes to conform terminology and definitions with 36 CFR part 215.

**Timetable:**

Action	Date	FR Cite
NPRM	07/00/00	
NPRM Comment Period End	09/00/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Marian P. Connolly, Regulatory Officer, Department of Agriculture, Forest Service, P.O. Box 96090, Washington, DC 20090-6090  
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**RIN:** 0596-AB45

**278. SALE AND DISPOSAL OF NATIONAL FOREST SYSTEM TIMBER; EXTENSION OF TIMBER SALE CONTRACTS TO PERMIT URGENT REMOVAL OF OTHER TIMBER**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 472a; 16 USC 618; 16 USC 620

**CFR Citation:** 36 CFR 223.50; 36 CFR 223.53

**Legal Deadline:** None

**Abstract:** This rule and policy change will provide for extension of National Forest System (NFS) timber sale contracts when such extension will permit the prompt removal and utilization of non-NFS-owned timber damaged by catastrophic events. The change will define the responsibilities of the parties for requesting and approving such extensions and specify when such extension should be approved. This change will also allow for the use of scarce timber resources and the recovery of economic benefits from timber that might otherwise be lost because of contractual obligations to harvest undamaged timber.

**Timetable:**

Action	Date	FR Cite
NPRM	05/00/00	
NPRM Comment Period End	07/00/00	

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** Federal

**Agency Contact:** Marian P. Connolly, Regulatory Officer, Department of Agriculture, Forest Service, P.O. Box 96090, Washington, DC 20090-6090  
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**RIN:** 0596-AB48

**279. NATIONAL ENVIRONMENTAL POLICY ACT; REVISED POLICY AND PROCEDURES; CATEGORICAL EXCLUSIONS**

**Priority:** Other Significant

**Legal Authority:** 42 USC 4371

**CFR Citation:** 36 CFR 260

**Legal Deadline:** None

**Abstract:** The proposed revision to Forest Service Manual and Handbook direction would be revised to clarify the environmental analysis process used by the Forest Service to implement the NEPA regulations at 40 CFR part 1500. The proposal will focus on better defining the process for determining when projects are categorically excluded and expanding the categories of action that can be excluded under NEPA.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/00	
NPRM Comment Period End	08/00/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Marian P. Connolly, Regulatory Officer, Department of Agriculture, Forest Service, P.O. Box 96090, Washington, DC 20090-6090  
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**RIN:** 0596-AB54

**280. LAW ENFORCEMENT SUPPORT ACTIVITIES**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 7 USC 1011(f); 16 USC 472; 16 USC 551; 16 USC 559(a) to 559(g); 40 USC 484(m)

**CFR Citation:** 36 CFR 262

**Legal Deadline:** None

**Abstract:** In February 1994, the Forest Service published proposed rule changes for parts 261 and 262 of title 36 of the Code of Federal Regulations. Due to the high level of interest in and comment on part 261, the decision was made to publish a second proposed rule. The majority of the public comment on part 262 referred to the definition section which has been revised to respond to those comments. The Forest Service has decided to issue a second proposed rule for comment on part 262, Law Enforcement Support Activities. Proposed revisions to part 261 will proceed separately.

**Timetable:**

Action	Date	FR Cite
NPRM	02/16/94	59 FR 7880
NPRM Comment Period End	05/18/94	
Second NPRM	09/00/00	
Second NPRM Comment Period End	11/00/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Marian P. Connolly, Regulatory Officer, Department of Agriculture, Forest Service, P.O. Box 96090, Washington, DC 20090-6090  
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**RIN:** 0596-AB61

**281. ADMINISTRATION OF THE FOREST DEVELOPMENT TRANSPORTATION SYSTEM**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 551; 23 USC 205

**CFR Citation:** 36 CFR 212

**Legal Deadline:** None

**Abstract:** The Forest Service proposes to change how the National Forest road system is improved, maintained, operated, and funded. Advanced notice of the Agency's intent was published January 28, 1998, concurrently with publication of a notice of a proposed interim rule to Temporarily Suspend

## USDA—FS

## Proposed Rule Stage

Road Construction in Roadless Areas. Extensive comments were received on both notices and have been considered in developing an interim final road suspension rule (February 12, 1999, 64 FR 7290) and in proposing a long range road management policy for the National Forest System.

The existing road system on National Forest System lands was largely funded and constructed through timber harvesting and the development of other resources to provide long-term access for use, management, and protection. In the last 10 years, public interest in the national forests has shifted substantially toward recreation use and resource protection. Road management emphasis needs to shift away from new construction and development toward operation and maintenance.

Accordingly, the Agency proposes to revise its transportation system rules at 36 CFR part 212 to change the emphasis from development of roads to operation and maintenance of roads. The Agency also proposes revision of its internal road management and forest planning direction to shift the focus of forest road system administration to access management rather than development and expansion and clarify terminology and definitions. A key element of the internal directive change is the adoption of science-based, multi-scale road analysis that subjects potential road construction and reconstruction to a rigorous analysis of effects and more completely considers unroaded area values. These analyses will be coordinated and integrated with other resource assessments and forest planning. This is expected to result in fewer roads, especially in unroaded areas, and a more affordable, safer, better maintained road system needed to access the national forests.

**Timetable:**

Action	Date	FR Cite
ANPRM	01/28/98	63 FR 4350
ANPRM Comment Period End	03/30/98	
NPRM	04/00/00	
NPRM Comment Period End	06/00/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

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**RIN:** 0596-AB67

**282. NONCOMPETITIVE SALE OF TIMBER**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 472(a)

**CFR Citation:** 36 CFR 223.85

**Legal Deadline:** None

**Abstract:** This proposed rule would revise 36 CFR 223.85 by removing references to section 2001(k) of Public Law 104-19 (109 Stat. 246) and define "extraordinary conditions" to allow forest officers, without advertisement, to make modifications to timber and forest product sales, which result in the substitution of timber or forest products from outside the sale area specified in the contract. Under the proposed rule, substitute timber or forest products would have to come from the same administrative national forest and meet Agency requirements for compliance with the National Environmental Policy Act and other environmental laws. This proposed rule would not compel a timber purchaser to accept a timber sale modification offered under this rule. The rule only authorizes the Forest Service to propose modifications and to enter into discussions with purchasers on such modifications.

This proposed rule will reduce timber sale cancellations and partial cancellations, thus reducing future damage claims on timber sales.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/00	
NPRM Comment Period End	01/00/01	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Marian P. Connolly, Regulatory Officer, Department of Agriculture, Forest Service, P.O. Box 96090, Washington, DC 20090-6090  
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**RIN:** 0596-AB70

**283. CATEGORICAL EXCLUSION FOR CERTAIN SPECIAL USES PERMIT ACTIONS (FSH 1909.15, CHAPTER 30)**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 42 USC 4321 to 4346

**CFR Citation:** Not Yet Determined

**Legal Deadline:** None

**Abstract:** In April 1997, the Forest Service completed a reengineering study of its special uses program. One finding in that study was that the Forest Service is conducting extensive National Environmental Policy Act (NEPA) analysis and documentation for the renewal or transfer of ownership of special use authorizations having no significant effect on the human environment, either individually or cumulatively. This level of NEPA compliance is costly, time consuming, and not commensurate with the risk attributed to the activity. Therefore, the Forest Service proposes to add a new category of categorical exclusions from NEPA documentation at sections 31.1b and 31.2 of FSH 1909.15, Environmental Policy and Procedures Handbook. This action would give clearer direction regarding the NEPA obligation, when issuance of a special use authorization is a purely ministerial action and no changes are proposed in permitted activities or facilities.

Further, the Forest Service proposes to amend section 30.3 to clarify the NEPA documentation that is needed for processing applications and authorizations under a categorical exclusion when extraordinary circumstances exist. The existing definition in section 30.3 implies that the "mere presence" of an extraordinary circumstance would require that an Environmental Assessment (EA) or Environmental Impact Statement (EIS) be completed for actions that would otherwise be categorically excluded. The Forest Service proposes to amend this section to provide that an identified extraordinary circumstance must clearly have an impact on the National Forest resource to merit preparation of an EA or EIS.

**Timetable:**

Action	Date	FR Cite
NPRM	05/00/00	
NPRM Comment Period End	07/00/00	

**Regulatory Flexibility Analysis**

**Required:** No

## USDA—FS

## Proposed Rule Stage

**Small Entities Affected:** No

**Government Levels Affected:** None

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**RIN:** 0596-AB73

#### 284. CLARIFICATION OF EXEMPTIONS FROM SPECIAL-USE AUTHORIZATIONS

**Priority:** Info./Admin./Other

**Legal Authority:** 16 USC 477 to 482; 16 USC 551; 43 USC 1761 to 1771

**CFR Citation:** 36 CFR 251.50(c)

**Legal Deadline:** None

**Abstract:** In April 1997, the Forest Service completed a reengineering study of its special uses program on how to manage the program in a more business-like, customer-service-oriented way. The Agency proposes the following revisions to 36 CFR 251.50 that would implement recommendations from this study. The study determined that many units are issuing special use authorizations unnecessarily, thereby increasing workloads. The study concluded that the Agency should clarify the special uses rules at section 251.50(a) to make explicitly clear that special use authorizations should not be issued for activities that are regulated by other Forest Service regulations; for example, those governing the disposal of timber (part 223); minerals (part 228); the use of forest development roads and trails (part 212 and section 251.110); and the grazing of cattle (part 222). The study also concluded that section 251.50(d) should be revised to direct that special use authorizations should not be issued where such authorization would serve no land or resource management objective and would have nominal effects on National Forest System lands; for example, where activities are adequately regulated by other governmental entities or where an authorized officer determines that normal operation and maintenance by the holder is within the scope of a right-of-way, easement, or other valid existing real property interest. Further, the rule at section 251.50(c) would be revised to clarify that, in emergency situations, a special use authorization

should be sought at the earliest opportunity following the emergency to ensure that appropriate measures are carried out to protect National Forest System lands after the emergency situation no longer exists.

#### Timetable:

Action	Date	FR Cite
NPRM	05/00/00	
NPRM Comment Period End	07/00/00	

#### Regulatory Flexibility Analysis Required:

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

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**RIN:** 0596-AB74

#### 285. SALE AND DISPOSAL OF NATIONAL FOREST SYSTEM TIMBER; TIMBER EXPORT AND SUBSTITUTION RESTRICTIONS

**Priority:** Other Significant

**Legal Authority:** 16 USC 620

**CFR Citation:** 36 CFR 223; 36 CFR 261

**Legal Deadline:** None

**Abstract:** The proposed rule for timber export and substitution restrictions would implement the Forest Resources Conservation and Shortage Relief Act of 1990, as amended. The proposed rule defines the certain terms necessary to facilitate uniform compliance; prohibits transfer of unprocessed private timber for export by a person who possesses or acquires unprocessed Federal timber; prohibits export of such unprocessed private timber by a third or successive party; prescribes procedures for reporting the acquisition and disposition of NFS and private timber requiring domestic processing, including transfers; prescribes procedures for identifying unprocessed National Forest Service and private timber requiring domestic processing; and establishes procedures for assessing civil and criminal penalties and applying administrative remedies for violations of the Act, its implementing regulations, and contracts subject to the Act.

#### Timetable:

Action	Date	FR Cite
NPRM	08/00/00	
NPRM Comment Period End	10/00/00	

#### Regulatory Flexibility Analysis Required:

**Required:** No

**Small Entities Affected:** Businesses

**Government Levels Affected:** Federal

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**RIN:** 0596-AB75

#### 286. APPEAL OF REGIONAL GUIDES AND NATIONAL FOREST LAND AND RESOURCE MANAGEMENT PLANS; MULTI-AGENCY DECISIONS

**Priority:** Other Significant

**Legal Authority:** 16 USC 551; 16 USC 472

**CFR Citation:** 36 CFR 217

**Legal Deadline:** None

**Abstract:** The Forest Service is increasingly cooperating with other Federal land managing agencies to address resource management issues that cross Federal administrative boundaries. An example of such an effort is the Interior Columbia Basin Ecosystem Management Project (ICBEMP). Through joint planning and decisionmaking, the Forest Service and the Bureau of Land Management (BLM) can provide more consistent direction for the management of common resources in the Columbia Basin and for other joint management projects. Because the Forest Service and the BLM each have their own separate and differing processes for administrative review of planning decisions (appeals in the Forest Service and protests in the BLM) and because it is important to maintain consistency in the decisions made and how they are implemented across Federal jurisdictions, a single process for administrative review of the joint ICBEMP decision is needed. This proposed rule permits the Forest Service to waive its appeal process in favor of an administrative review process provided by another agency when a Forest Service decision is



## USDA—FS

## Proposed Rule Stage

embodied in a multi-agency planning document. The intended effects are to provide the public the benefit of one administrative review process and to simplify what would otherwise be a complicated and burdensome review process.

**Timetable:**

Action	Date	FR Cite
NPRM	07/00/00	
NPRM Comment Period End	09/00/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:**  
Undetermined

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**RIN:** 0596-AB76

**287. PROTECTION OF NATIONAL FOREST SYSTEM ROADLESS AREAS**

**Priority:** Other Significant

**Legal Authority:** 16 USC 472; 16 USC 551; 16 USC 1604; 42 USC 4321

**CFR Citation:** 36 CFR 294

**Legal Deadline:** None

**Abstract:** On October 13, 1999, the President directed the Forest Service to initiate a rulemaking process proposing the protection of the remaining roadless areas within the National Forest System. A notice of intent to prepare an environmental impact statement for this rulemaking was published in the Federal Register on October 19 (64 FR 56306). This initiative responds to strong public sentiment for protecting roadless areas and the public benefits those areas provide, including clean water, biological diversity, wildlife habitat, forest health, dispersed recreational opportunities, and other benefits. It also responds to public questions about the logic of building new roads in roadless areas when the Forest Service receives insufficient funding to maintain its existing road system. This rulemaking would initiate a two-part process to protect roadless areas. Part one would immediately restrict certain activities, such as road

construction, in unroaded portions of inventoried roadless areas. Part two would establish national direction for managing uninventoried roadless areas and for determining whether, and to what extent, similar protections should be extended to uninventoried roadless areas. The Agency expects considerable interest in this rulemaking from the public and Congress.

**Timetable:**

Action	Date	FR Cite
ANPRM	10/19/99	64 FR 56306
ANPRM Comment Period End	12/20/99	
NPRM	04/00/00	
NPRM Comment Period End	06/00/00	

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:**  
Undetermined

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**RIN:** 0596-AB77

## DEPARTMENT OF AGRICULTURE (USDA)

## Final Rule Stage

## Forest Service (FS)

**288. INDIAN ALLOTMENTS ON NATIONAL FOREST SYSTEM LANDS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 472; 16 USC 551; 16 USC 1603; 43 USC 1740; 25 USC 337

**CFR Citation:** 36 CFR 254

**Legal Deadline:** None

**Abstract:** This rule sets forth Forest Service procedures and role in the regulation of Indian allotments on National Forest System land. The Indian Allotment Act, as amended, authorizes the Secretary of the Interior to make allotments of National Forest System lands to Indians for homesteading and agricultural and grazing purposes. The Forest Service has relied upon USDI rules and procedures at 43 CFR 2533 to govern its involvement in Indian allotment cases. Litigation and a decision by the Interior Board of Land Appeals require

the Forest Service to set forth its own regulations.

**Timetable:**

Action	Date	FR Cite
NPRM	06/22/87	52 FR 23473
NPRM Comment Period End	07/22/87	
Final Action	09/00/00	
Final Action Effective	11/00/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

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**RIN:** 0596-AA52

**289. DISPOSAL OF NATIONAL FOREST TIMBER; CANCELLATION OF TIMBER SALE CONTRACTS**

**Priority:** Other Significant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 16 USC 472a; 16 USC 551; 16 USC 618

**CFR Citation:** 36 CFR 223.30; 36 CFR 223.40; 36 CFR 223.116

**Legal Deadline:** None

**Abstract:** Current regulations governing cancellation of National Forest timber sale contracts do not adequately protect the Government's financial interests in the event the Forest Service is forced to cancel contracts due to events beyond its control arising from compliance with environmental

## USDA—FS

## Final Rule Stage

statutes. This rulemaking would remove an unworkable compensation-of-damages formula and establish a termination-for-environmental-protection clause in timber sale contracts, a standard in most Federal procurement contracts.

**Timetable:**

Action	Date	FR Cite
NPRM	12/30/96	61 FR 68690
NPRM Comment Period End	02/13/97	
Final Action	10/00/00	
Final Action Effective	11/00/00	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

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**RIN:** 0596-AB21

### 290. COLLECTION OF REIMBURSABLE COSTS FOR PROCESSING SPECIAL-USE APPLICATIONS AND ADMINISTRATION OF SPECIAL-USE AUTHORIZATIONS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 43 USC 1764; 30 USC 181

**CFR Citation:** 36 CFR 251

**Legal Deadline:** None

**Abstract:** The objective of this proposal is to incorporate into regulation the authority contained in the Mineral Leasing Act and the Federal Land Policy and Management Act to reimburse the United States for reasonable administrative costs associated with the issuance and administration of special-use authorizations on National Forest System lands. It responds to a recommendation contained in GAO Audit Report RCED-97-16 (12/96).

**Timetable:**

Action	Date	FR Cite
NPRM	11/24/99	64 FR 66341
NPRM Comment Period Extended	12/29/99	64 FR 72971
NPRM Comment Period End	02/04/00	
Final Action	07/00/00	
Final Action Effective	08/00/00	

**Regulatory Flexibility Analysis Required:** Yes

**Small Entities Affected:** Businesses, Organizations

**Government Levels Affected:** None

**Additional Information:** Cost reimbursement for processing special-use applications and administration of special-use authorizations was originally included under RIN 0596-AA36. All provisions pertaining to the special-use application and administration process have been merged with RIN 0596-AB35. Thus, this rulemaking addresses only the cost-reimbursement provisions.

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**RIN:** 0596-AB36

### 291. PREFERENCE FOR VISITOR SERVICE; ALASKA NATIONAL FOREST CONSERVATION SYSTEM UNITS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 3197

**CFR Citation:** 36 CFR 251

**Legal Deadline:** None

**Abstract:** The Forest Service is issuing regulations to define and establish procedures for administering the statutory rights and preferences established by the Alaska National Interest Lands Conservation Act of 1980 for historical operators, Native Corporations, and local residents to conduct revenue producing visitor services on certain National Forest System Lands in Alaska. The regulations are necessary to comply with section 1307 of the Alaska National Interest Lands Conservation Act, which requires the Secretary of Agriculture to give preference to persons he determines by rule are local residents. The regulations, which have been developed in close consultation with the other Federal land managing agencies in Alaska, will apply only to Conservation System Units administered by the Forest Service. As applied to these regulations, administered Conservation System Units are Forest Service national monuments units of the National Wild

and Scenic River Systems, National Trails System, and the National Wilderness Preservation System in Alaska.

**Timetable:**

Action	Date	FR Cite
NPRM	04/25/97	62 FR 20140
NPRM Comment Period End	06/24/97	
Final Action	11/00/00	
Final Action Effective	12/00/00	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Marian P. Connolly, Regulatory Officer, Department of Agriculture, Forest Service, P.O. Box 96090, Washington, DC 20090-6090  
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**RIN:** 0596-AB57

### 292. NOTICE, COMMENT, AND APPEAL PROCEDURES FOR NATIONAL FOREST SYSTEM PROJECTS AND ACTIVITIES

**Priority:** Substantive, Nonsignificant

**Legal Authority:** PL 102-381, sec 322

**CFR Citation:** 36 CFR 215

**Legal Deadline:** None

**Abstract:** A recent lawsuit brought by a Forest Service employee challenging this regulation led to a reassessment of the employee appeal limitation 36 CFR 215.11(c). The Department agreed to repeal the employee prohibition provision to allow the Agency time to consider the issues related to employees filing appeals. After additional consideration of relevant factors, the Department may decide to publish a new proposed rule to address the matter of appeals by employees. If so, public comment would be requested at the time.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	01/28/98	63 FR 4187
Final Action	07/00/00	
Final Action Effective	08/00/00	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

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## USDA—FS

## Final Rule Stage

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 RIN: 0596-AB69

**293. SMALL BUSINESS TIMBER SALE SET-ASIDE RECOMPUTATION BASIS**

**Priority:** Info./Admin./Other

**Legal Authority:** 16 USC 472; 16 USC 618; 16 USC 620

**CFR Citation:** Not Yet Determined

**Legal Deadline:** None

**Abstract:** The Forest Service is revising policy and procedures that will make timber sale set-aside recomputations, required by industry changes, easier to implement and more responsive to the actual conditions in the market area. Two changes were considered in the proposed policy. The first would revise the formula used to calculate the timber sale set-aside program recomputation by removing timber harvest data and instead use only timber sale purchased volume data. The second would modify the timing of a structural change implementation from 3 years to 1.5 years. Structural change recalculations are needed when a business's characteristics change, such as the size of the operation. This will simplify the process and give appropriate weight to small and big businesses. The Agency received approximately 30 comments to the proposed policy and is considering them in the final policy.

**Timetable:**

Action	Date	FR Cite
NPRM	05/28/99	64 FR 28969

Action	Date	FR Cite
NPRM Comment Period End	07/28/99	
Final Action	04/00/00	
Final Action Effective	05/00/00	

**Regulatory Flexibility Analysis Required: No**

**Government Levels Affected:** Federal

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RIN: 0596-AB72

**294. • ADMINISTRATION; COOPERATION WITH OTHER FEDERAL AGENCIES (36 CFR PART 211, SUBPART C)**

**Priority:** Info./Admin./Other

**Legal Authority:** PL 104-307

**CFR Citation:** 36 CFR 211

**Legal Deadline:** Other, Statutory, September 30, 2000, Wildfire Suppression Act of 1996.

**Abstract:** The Forest Service is proposing an interim rule to implement the Wildfire Suppression Aircraft Transfer Act of 1996. The Act authorizes the Department of Defense, Defense Logistics Agency (DOD-DLA), to sell excess aircraft to eligible companies that want to contract with the Forest Service for delivery of fire retardant by air for fire suppression from October 1, 1996, through September 30, 2000. DOD-DLA

published an interim final rule in the Federal Register on June 1, 1999, (64 FR 29227), prescribing procedures for the sale of excess aircraft and aircraft parts to eligible persons or entities that propose to contract with the Forest Service for aerial delivery of fire retardant. Under the DOD-DLA interim final rule, the Secretary of Agriculture must certify in writing to the Secretary of Defense, prior to the sale of excess aircraft or aircraft parts, those persons or entities that are capable of meeting the terms and conditions of a contract to deliver fire retardant by air.

The Forest Service proposes to adopt an interim rule that will set forth Aircraft Sale Criteria that persons or entities, who want to contract with the Agency, will have to meet to be eligible to bid on DOD-DLA excess aircraft and aircraft parts for delivery of fire retardant by air for fire suppression.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	06/00/00	
Interim Final Rule Comment Period End	08/00/00	

**Regulatory Flexibility Analysis Required: No**

**Government Levels Affected:** None

**Agency Contact:** Marian P. Connolly, Regulatory Officer, Department of Agriculture, Forest Service, P.O. Box 96090, Washington, DC 20090-6090  
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RIN: 0596-AB78

## DEPARTMENT OF AGRICULTURE (USDA)

## Completed Actions

## Forest Service (FS)

**295. NATIONAL FOREST PROHIBITIONS**

**Priority:** Other Significant

**CFR Citation:** 36 CFR 261

**Completed:**

Reason	Date	FR Cite
Withdrawn	02/28/00	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

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RIN: 0596-AA75

**296. STATE AND PRIVATE FORESTRY ASSISTANCE STEWARDSHIP INCENTIVE PROGRAM**

**Priority:** Other Significant

**CFR Citation:** 36 CFR 230

**Completed:**

Reason	Date	FR Cite
Withdrawn	02/28/00	

**Regulatory Flexibility Analysis Required: No**

**Government Levels Affected:** None

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RIN: 0596-AB32

**297. ADMINISTRATIVE, COOPERATIVE FUNDS AGREEMENTS**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 36 CFR 211

## USDA—FS

## Completed Actions

## Completed:

Reason	Date	FR Cite
Final Action	11/08/99	64 FR 60675
Final Action Effective	11/08/99	

Regulatory Flexibility Analysis  
Required: No

Government Levels Affected: None

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RIN: 0596-AB63  
 BILLING CODE 3410-11-F

DEPARTMENT OF AGRICULTURE (USDA)  
Office of the Secretary (AgSEC)

## Proposed Rule Stage

298. DESIGNATION OF RURAL  
EMPOWERMENT ZONES AND  
ENTERPRISE COMMUNITIES

Priority: Other Significant

Legal Authority: PL 105-277, sec 766

CFR Citation: 7 CFR 25

Legal Deadline: None

**Abstract:** This rule sets forth the policies and procedures for designating 20 additional rural enterprise communities. This rule also sets forth

the policies and procedures for a newly authorized grant program for Round II rural empowerment zones and Round II's enterprise communities.

## Timetable:

Action	Date	FR Cite
NPRM	04/00/00	
NPRM Comment Period End	06/00/00	

Regulatory Flexibility Analysis  
Required: No

Small Entities Affected: No

Government Levels Affected:  
Undetermined

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RIN: 0503-AA20

DEPARTMENT OF AGRICULTURE (USDA)  
Office of the Secretary (AgSEC)

## Long-Term Actions

299. NONDISCRIMINATION IN USDA-  
CONDUCTED PROGRAMS AND  
ACTIVITIES

Priority: Substantive, Nonsignificant

CFR Citation: 7 CFR 15

## Timetable:

Action	Date	FR Cite
NPRM	04/23/96	61 FR 17851
NPRM Comment Period End	05/23/96	
Second NPRM	11/10/98	63 FR 62962
Second NPRM Comment Period End	12/10/98	
Final Action	To Be	Determined

Regulatory Flexibility Analysis  
Required: No

Government Levels Affected: None

**Agency Contact:** Rosalind D. Gray  
 Phone: 202 720-5212

RIN: 0503-AA15

300. UNIFORM ADMINISTRATIVE  
REQUIREMENTS FOR GRANTS AND  
COOPERATIVE AGREEMENTS TO  
STATE AND LOCAL GOVERNMENTS

Priority: Other Significant

CFR Citation: 7 CFR 3016

## Timetable:

Action	Date	FR Cite
NPRM	02/17/98	63 FR 7734
NPRM Comment Period End	06/18/98	
Final Action	To Be	Determined

Regulatory Flexibility Analysis  
Required: NoGovernment Levels Affected: State,  
Local, Tribal

**Agency Contact:** Gerald Miske  
 Phone: 202 720-1553

RIN: 0503-AA16  
 BILLING CODE 3410-90-F

DEPARTMENT OF AGRICULTURE (USDA)  
Rural Business-Cooperative Service (RBS)

## Proposed Rule Stage

301. BUSINESS AND INDUSTRY  
DIRECT LOAN PROGRAM

Priority: Other Significant

Legal Authority: 7 USC 1989; 42 USC  
1480; 5 USC 301

**CFR Citation:** 7 CFR 1980 subpart A;  
 7 CFR 1980 subpart E; 7 CFR 1942  
 subpart A; 7 CFR 1951 subpart E; 7  
 CFR 4274 subpart I; 7 CFR 4287  
 subpart H

Legal Deadline: None

**Abstract:** The Agency currently utilizes RD Instructions 1980-A and E, 1942-A, 1951-E to make and service new and existing direct B&I loans. These regulations contain very limited direction in direct B&I loanmaking. The Agency is writing new regulations to replace the instructions for direct loanmaking and servicing. This program will complement the Agency's existing guaranteed (B&I) loan program.

## Timetable:

Action	Date	FR Cite
NPRM	05/00/00	
NPRM Comment Period End	07/00/00	

Regulatory Flexibility Analysis  
Required: Yes

**Small Entities Affected:** Businesses,  
 Governmental Jurisdictions,  
 Organizations

## USDA—RBS

## Proposed Rule Stage

**Government Levels Affected:** Local, Tribal

**Agency Contact:** Richard Bonnet, Senior Loan Specialist, Processing Division, Department of Agriculture, Rural Business-Cooperative Service, Room 6864/Stop 3221, 1400 Independence Avenue SW, Washington, DC 20250  
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**RIN:** 0570-AA22

### 302. BUSINESS AND INDUSTRIAL GUARANTEED LOAN PROGRAM—MISCELLANEOUS CHANGES

**Priority:** Other Significant

**Legal Authority:** 7 USC 1989; 42 USC 1480; 5 USC 301

**CFR Citation:** 7 CFR 4287 subpart B; 7 CFR 4279 subpart A; 7 CFR 4279 subpart B

**Legal Deadline:** None

**Abstract:** Revisions are proposed in the following areas: Exclusion of financing agriculture production, limiting debt refinancing, definition of rural and rural area, criteria for reducing percent of guarantee, revising loan priority criteria, eligibility issues when an applicant is delinquent on Federal debt, title IX provisions, additional administrative guidance, tightening eligibility criteria for non-bank lenders, removing the need for a Regional Attorney review for transfers and assumptions of existing loans, limiting debt refinancing, limiting packaging fees, adjusting loan priorities, additional application requirements for certain applicants, and various other minor editorial changes.

**Timetable:**

Action	Date	FR Cite
NPRM	03/00/01	
NPRM Comment Period End	05/00/01	

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:**

Undetermined

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**RIN:** 0570-AA23

### 303. AFFIRMATIVE FAIR HOUSING MARKETING PLAN

**Priority:** Other Significant. Major status under 5 USC 801 is undetermined.

**Unfunded Mandates:** Undetermined

**Legal Authority:** 5 USC 301; 7 USC 1989; 42 USC 1480

**CFR Citation:** 7 CFR 1703 subpart B; 7 CFR 1942 subpart G; 7 CFR 4284 subpart D; 7 CFR 4287 subpart B; 7 CFR 4279 subpart B; 7 CFR 4274 subpart D; 7 CFR 4280 subpart A; 7 CFR 4287 subpart H

**Legal Deadline:** None

**Abstract:** This action will incorporate the requirement for housing-related projects (such as apartment buildings, nursing homes, group homes, and assisted living type facilities) to develop an Affirmative Fair Housing Marketing Plan (plan) when receiving funding from the Intermediary Relending Program, Rural Business Enterprise Grant Program, Rural Business Opportunity Grant Program, Rural Economic Development Loan and Grant Programs, and the Business and Industry Direct and Guaranteed Loan Programs. The plan will describe strategies to attract applications from all groups in a housing market area and efforts to reach those persons in the market area who traditionally would not be expected to apply for housing. The Rural Housing Service Multifamily Housing Program regulations currently include this borrower requirement. We estimate this action will impact a total of 100 housing-related projects not previously required to complete a plan.

**Timetable:**

Action	Date	FR Cite
NPRM	07/00/00	

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:**

Undetermined

**Agency Contact:** David Lewis, Loan Specialist Servicing Division, Department of Agriculture, Rural Business-Cooperative Service, Room 6858/Stop 3224, 1400 Independence Avenue SW, Washington, DC 20250  
Phone: 202 690-0797

**RIN:** 0570-AA24

### 304. BUSINESS AND INDUSTRY GUARANTEED LOAN PROGRAM—FINANCING COOPERATIVE STOCK

**Priority:** Other Significant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 7 USC 1989; 42 USC 1480; 5 USC 301

**CFR Citation:** 7 CFR 4279 subpart B; 7 CFR 4279 subpart A

**Legal Deadline:** None

**Abstract:** The Agency proposes to revise the Business and Industry Program regulations to incorporate additional guidance and eliminate or reduce certain requirements when financing cooperative stock. It also purposes to develop a streamlined application form when financing working capital, which includes cooperative stock.

**Timetable:**

Action	Date	FR Cite
NPRM	05/00/00	
NPRM Comment Period End	07/00/00	

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses, Organizations

**Government Levels Affected:** None

**Agency Contact:** Richard Bonnet, Senior Loan Specialist, Processing Division, Department of Agriculture, Rural Business-Cooperative Service, Room 6864/Stop 3221, 1400 Independence Avenue SW, Washington, DC 20250  
Phone: 202 720-1804  
Email: rick.bonnet@usda.gov

**RIN:** 0570-AA26

### 305. RURAL BUSINESS ENTERPRISE GRANT PROGRAM

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 5 U.S.C. 301; 7 U.S.C. 1932; 7 U.S.C. 1989; 16 U.S.C. 1005

USDA—RBS

Proposed Rule Stage

**CFR Citation:** 7 CFR Part 1942; 7 CFR Part 4284

**Legal Deadline:** None

**Abstract:** The Agency proposes to rewrite and renumber 7 CFR 1942, subpart G, "Rural Business Enterprise Grant Program to 7 CFR part 4284, subpart B, to incorporate public law changes and clarify administrative regulatory procedures and guidelines in order to improve program administration.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/00	

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:**

Undetermined

**Agency Contact:** Amy Cavanaugh, Loan Specialist, Department of

Agriculture, Rural Business-Cooperative Service, Room 6867/Stop 3225, 1400 Independence Avenue SW, Washington, DC 20250-1521

Phone: 202 690-2516

Email: acavanau@rurdev.usda.gov

**RIN:** 0570-AA28

**306. • ALLOCATION FORMULAS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 301; 7 USC 1989; 42 USC 1480

**CFR Citation:** 7 CFR 1940 subpart L

**Legal Deadline:** None

**Abstract:** This action will amend existing regulations for allocating program funds among Agency State offices. It will add the Rural Business Opportunity Grant Program and update the formulas used for Rural Business Enterprise Grant and Business and Industry Programs.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/00	
NPRM Comment Period End	08/00/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Wayne Stansbery, Loan Specialist, Specialty Lenders Division, Department of Agriculture, Rural Business-Cooperative Service, Room 6867/Stop 3225, 1400 Independence Avenue SW, Washington, DC 20250

Phone: 202 720-6819

TDD Phone: 800-877-8339

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Email: wstansbe@rus.usda.gov

**RIN:** 0570-AA30

DEPARTMENT OF AGRICULTURE (USDA)

Final Rule Stage

Rural Business-Cooperative Service (RBS)

**307. RURAL ECONOMIC DEVELOPMENT LOAN AND GRANT PROGRAM**

**Priority:** Other Significant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 7 USC 940c

**CFR Citation:** 7 CFR 1703 subpart B; 7 CFR 4280 subpart A

**Legal Deadline:** None

**Abstract:** This action is part of a reinvention laboratory initiative of the Department of Agriculture and Rural

Business-Cooperative Service. The regulations will be written in a "Plain Language" style. The regulation will be simpler and improve the ease of use by the public and program beneficiaries. The regulation will be written in a question and answer format from the perspective of questions from the applicant under this program. The regulations will simplify the application format, review and selection process, and recipient's recordkeeping requirements. It will also add a section on the appeal of adverse decisions.

**Timetable:**

Action	Date	FR Cite
NPRM	12/15/99	64 FR 69937

Action	Date	FR Cite
NPRM Comment Period End	02/14/00	
Final Action	09/00/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Mark Wyatt, Team Leader, Specialty Lenders Division, Department of Agriculture, Rural Business-Cooperative Service, Room 6865, South Building, STOP 3225, Washington, DC 20250

Phone: 202 720-2383

**RIN:** 0570-AA19

DEPARTMENT OF AGRICULTURE (USDA)

Long-Term Actions

Rural Business-Cooperative Service (RBS)

**308. RURAL VENTURE CAPITAL DEMONSTRATION PROGRAM**

**Priority:** Other Significant. Major status under 5 USC 801 is undetermined.

**CFR Citation:** 7 CFR 4279 subpart A; 7 CFR 4279 subpart F; 7 CFR 4287 subpart G

**Timetable:**

Action	Date	FR Cite
ANPRM	04/09/97	62 FR 17107
ANPRM Comment Period End	05/09/97	
NPRM	To Be Determined	

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:**

Undetermined

**Agency Contact:** Brenda Griffin

Phone: 202 720-6802

Email: brenda.griffin@usda.gov

**RIN:** 0570-AA25

## USDA—RBS

## Long-Term Actions

**309. RURAL AND RURAL AREA UNDER THE RURAL COMMUNITY ADVANCEMENT PROGRAM****Priority:** Other Significant**CFR Citation:** 7 CFR 4279; 7 CFR 1980; 7 CFR 1942; 7 CFR 4284**Timetable:**

Action	Date	FR Cite
NPRM	To Be	Determined

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Local**Agency Contact:** Bill Hagy  
Phone: 202 720-7287**RIN:** 0570-AA27**DEPARTMENT OF AGRICULTURE (USDA)****Completed Actions****Rural Business-Cooperative Service (RBS)****310. RURAL BUSINESS OPPORTUNITY GRANTS****Priority:** Other Significant**CFR Citation:** 7 CFR 4284; 7 CFR 1951**Completed:**

Reason	Date	FR Cite
Final Action	12/23/99	64 FR 71984
Final Action Effective	01/24/00	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Local, Tribal**Agency Contact:** Wayne Stansbery

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Email: wstansbe@rus.usda.gov

**RIN:** 0570-AA05**BILLING CODE** 3410-07-F**DEPARTMENT OF AGRICULTURE (USDA)****Proposed Rule Stage****Rural Utilities Service (RUS)****311. WATER AND WASTE LOAN AND GRANT SERVICING****Priority:** Other Significant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 7 USC 1989**CFR Citation:** 7 CFR 1782**Legal Deadline:** None**Abstract:** This proposed action combines the various servicing regulations of the water and waste program into one. The new regulation will codify and clarify RUS policy relating to servicing water and waste loans and grants.**Timetable:**

Action	Date	FR Cite
NPRM	08/00/00	
NPRM Commend Period End	10/00/00	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None**Federalism:** Undetermined**Agency Contact:** F. Lamont Heppe Jr., Director, Program Development & Reg Analysis, Department of Agriculture, Rural Utilities Service, Room 4034,

South Building, 1400 Independence Avenue SW, Washington, DC 20250-1522

Phone: 202 720-9550

Fax: 202 720-4120

**RIN:** 0572-AB23**312. TELECOMMUNICATIONS STANDARDS AND SPECIFICATIONS FOR MATERIALS, EQUIPMENT, AND CONSTRUCTION****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 7 USC 901 et seq; 7 USC 1921 et seq**CFR Citation:** 7 CFR 1755**Legal Deadline:** None**Abstract:** The Rural Utilities Service (RUS) proposes to amend 7 CFR 1755 to include requirements presently contained in RUS Bulletin 345-3. This rule would establish and codify provisions for the inclusion and removal for products from I.P. 344-2. This rule also proposes to integrate the existing section on field trials in the procedures for product acceptance and inclusion in this codification, as well

as clarifying the reorganizing the field trials section.

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/00	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None**Federalism:** Undetermined**Agency Contact:** F. Lamont Heppe Jr., Director, Program Development & Reg Analysis, Department of Agriculture, Rural Utilities Service, Room 4034, South Building, 1400 Independence Avenue SW, Washington, DC 20250-1522

Phone: 202 720-9550

Fax: 202 720-4120

**RIN:** 0572-AB40**313. TELECOMMUNICATIONS SYSTEM CONSTRUCTION CONTRACT AND SPECIFICATIONS****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 7 USC 901 et seq, 1921 et seq, 6941 et seq

USDA—RUS

Proposed Rule Stage

**CFR Citation:** 7 CFR 1755

**Legal Deadline:** None

**Abstract:** The Rural Utilities Service (RUS) is proposing to amending 7 CFR part 1755, Telecommunications System Construction Contract and Specifications, to revise RUS Form 515, Telecommunications System Construction Contract (Labor and Materials). This contract form is used by borrowers to secure the services of a contractor for the construction of telecommunications facilities, which include outside plant construction, including direct buried plant, underground plant, aerial plant, and customer access installations. Because of advancements made in construction installation methods and materials, the present form of the contract and the associated specifications (RUS Bulletins 345-150, Specifications and Drawings for Construction of Direct Buried Plant; 345-151, Specifications and Drawings for Construction of Underground Plant; 345-152, Specifications and Drawings for Construction of Aerial Plant, and 345-153, Specifications and Drawings for Service Installations at Customer Access Locations) have become outdated. To allow borrowers and contractors to take advantage of these improved construction installation methods and materials, the current contract form and associated specifications are proposed to be revised.

**Timetable:**

Action	Date	FR Cite
ANPRM	09/16/98	63 FR 49504
ANPRM Comment Period End	12/15/98	
NPRM	05/00/00	
NPRM Comment Period End	09/00/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Federalism:** Undetermined

**Agency Contact:** F. Lamont Heppe Jr., Director, Program Development & Reg Analysis, Department of Agriculture, Rural Utilities Service, Room 4034, South Building, 1400 Independence Avenue SW, Washington, DC 20250-1522  
Phone: 202 720-9550  
Fax: 202 720-4120

**RIN:** 0572-AB41

**314. SEISMIC SAFETY**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 7 USC 901 et seq, 1921 et seq; 42 USC 7701 et seq

**CFR Citation:** 7 CFR 1792 C

**Legal Deadline:** None

**Abstract:** The Rural Utilities Service (RUS) proposes to amend its regulations to update and simplify the requirements of the Agency. This revised rule would provide RUS borrowers, grant recipients, Rural Telephone Bank (RTB) borrowers, and the public with updated rules for compliance with seismic safety requirements for new building construction using RUS or RTB loan, grant, or guaranteed funds or funds provided through lien accommodations or subordinations approved by RUS or RTB. The proposed revision would identify model codes and standards found to provide a required level of seismic safety.

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/00	
NPRM Comment Period End	06/00/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Federalism:** Undetermined

**Agency Contact:** F. Lamont Heppe Jr., Director, Program Development & Reg Analysis, Department of Agriculture, Rural Utilities Service, Room 4034, South Building, 1400 Independence Avenue SW, Washington, DC 20250-1522  
Phone: 202 720-9550  
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**RIN:** 0572-AB47

**315. • REDUCTION IN MINIMUM TIER REQUIREMENTS**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 7 USC 901-950(b); PL 99-591, 100 Stat. 3341; PL 103-354, 108 Stat. 3178

**CFR Citation:** 7 CFR 1710; 7 CFR 1717; 7 CFR 1718

**Legal Deadline:** None

**Abstract:** The Rural Utilities Service (RUS) is proposing to amend 7 CFR part 1710, subpart C, reducing the minimum TIER (Times Interest Earned Ratio) required to be met by distribution borrowers from 1.50 to 1.25. Reducing TIER to 1.25, while retaining the existing Debt Service Coverage (DSC), Operating Time Interest Earned Ratio (OTIER), and Operating Debt Service Coverage (ODSC) standards, will provide the borrowers with the flexibility to structure rates to remain competitive in the marketplace and not jeopardize loan security.

**Timetable:**

Action	Date	FR Cite
NPRM	03/10/00	65 FR 12952
NPRM Comment Period End	04/10/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Federalism:** Undetermined

**Agency Contact:** F. Lamont Heppe Jr., Director, Program Development & Reg Analysis, Department of Agriculture, Rural Utilities Service, Room 4034, South Building, 1400 Independence Avenue SW, Washington, DC 20250-1522  
Phone: 202 720-9550  
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**RIN:** 0572-AB51

**316. • ELECTRIC ENGINEERING, ARCHITECTURAL SERVICES, AND DESIGN POLICIES AND PROCEDURES**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 7 USC 901 et seq; 7 USC 1921 et seq; 7 USC 6941 et seq

**CFR Citation:** 7 CFR 1724

**Legal Deadline:** None

**Abstract:** RUS is proposing to amend its regulations to revise its requirements regarding RUS approval of plans and specifications for buildings. Specifically, RUS is proposing that the requirement for RUS approval of architectural plans and specifications for buildings be eliminated and that, instead, the borrower's architect or



## USDA—RUS

## Proposed Rule Stage

engineer be required to state that the design complies with certain specific standards.

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/00	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Federalism:** Undetermined**Agency Contact:** F. Lamont Heppe Jr., Director, Program Development & Reg

Analysis, Department of Agriculture, Rural Utilities Service, Room 4034, South Building, 1400 Independence Avenue SW, Washington, DC 20250-1522

Phone: 202 720-9550

Fax: 202 720-4120

**RIN:** 0572-AB54

## DEPARTMENT OF AGRICULTURE (USDA)

## Final Rule Stage

## Rural Utilities Service (RUS)

**317. SPECIAL EQUIPMENT CONTRACT (INCLUDING INSTALLATION)****Priority:** Substantive, Nonsignificant**Legal Authority:** 7 USC 901 et seq, 1921 et seq, 6941 et seq**CFR Citation:** 7 CFR 1755**Legal Deadline:** None

**Abstract:** The Rural Utilities Service (RUS) is amending its regulation on RUS Telecommunications Standards and Specifications for Material, Equipment, and Construction to revise RUS Form 397, Special Equipment Contract (including installation). This contract incorporates amendments currently attached to the RUS Form 397 and updates contract terms and format.

**Timetable:**

Action	Date	FR Cite
NPRM	02/20/98	63 FR 8582
NPRM Comment Period End	04/21/98	
SNPRM	07/06/98	63 FR 36377
SNPRM Comment Period End	09/04/98	
Final Action	04/00/00	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None**Federalism:** Undetermined

**Agency Contact:** F. Lamont Heppe Jr., Director, Program Development & Reg Analysis, Department of Agriculture, Rural Utilities Service, Room 4034, South Building, 1400 Independence Avenue SW, Washington, DC 20250-1522

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**RIN:** 0572-AB35**318. • GENERAL AND PRE-LOAN POLICIES AND PROCEDURES COMMON TO INSURED AND GUARANTEED ELECTRIC LOANS****Priority:** Substantive, Nonsignificant**Legal Authority:** 7 USC 901-950(b); Pub. L. 99-591; 100 Stat. 3341; Pub. L. 103-354; 108 Stat. 3178 (7 USC 6941 et seq.)**CFR Citation:** 7 CFR 1710**Legal Deadline:** None

**Abstract:** RUS is amending its regulations to modify the requirements that borrowers must seek bids from all sources if funding is requested for generation projects equal to or greater than 10 megawatt or for modifications to existing plans if it results in an increase in capacity of 10 percent or more. RUS will now determine when borrowers must seek bids from all sources on a case-by-case basis at the discretion of the Administrator.

**Timetable:**

Action	Date	FR Cite
Direct Final Rule	04/00/00	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Federalism:** Undetermined

**Agency Contact:** F. Lamont Heppe Jr., Director, Program Development & Reg Analysis, Department of Agriculture, Rural Utilities Service, Room 4034, South Building, 1400 Independence Avenue SW, Washington, DC 20250-1522

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**RIN:** 0572-AB52**319. • GENERAL POLICIES, TYPES OF LOANS, LOAN REQUIREMENTS—TELECOMMUNICATIONS PROGRAM****Priority:** Substantive, Nonsignificant**Legal Authority:** 7 USC 901 et seq; 7 USC 1921 et seq; 7 USC 6941 et seq**CFR Citation:** 7 CFR 1735**Legal Deadline:** None

**Abstract:** RUS proposes to amend its telecommunications regulations to provide that applicants may seek financial assistance to provide mobile telecommunications service without regard to whether the applicant is providing basic local exchange service in the territory to be served. RUS is also clarifying its regulations with regard to the application of nonduplication provisions and State telecommunications modernization plans to mobile telecommunications services. In addition, RUS has included criteria for determining "reasonably adequate service" levels for mobile telecommunications service.

**Timetable:**

Action	Date	FR Cite
NPRM	02/11/00	65 FR 6922
NPRM Comment Period End	03/13/00	
Final Rule	04/00/00	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** F. Lamont Heppe Jr., Director, Program Development & Reg Analysis, Department of Agriculture, Rural Utilities Service, Room 4034, South Building, 1400 Independence Avenue SW, Washington, DC 20250-1522

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**RIN:** 0572-AB53

**DEPARTMENT OF AGRICULTURE (USDA)**  
**Rural Utilities Service (RUS)**
**Long-Term Actions**
**320. ELECTRIC STANDARDS AND SPECIFICATIONS FOR MATERIALS AND CONSTRUCTION**
**Priority:** Substantive, Nonsignificant

**CFR Citation:** 7 CFR 1728

**Timetable:**

Action	Date	FR Cite
NPRM	To Be	Determined

**Regulatory Flexibility Analysis**
**Required:** No

**Government Levels Affected:** None

**Federalism:** Undetermined

**Agency Contact:** F. Lamont Heppe

Phone: 202 720-9550

Fax: 202 720-4120

**RIN:** 0572-AA67

**321. LOAN DOCUMENTS—BANK PROGRAM**
**Priority:** Substantive, Nonsignificant

**CFR Citation:** 7 CFR 1620

**Timetable:** Next Action Undetermined

**Regulatory Flexibility Analysis**
**Required:** No

**Government Levels Affected:** None

**Federalism:** Undetermined

**Agency Contact:** F. Lamont Heppe

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**RIN:** 0572-AA76

**322. USE OF GENERAL FUNDS INVESTMENTS, LOAN GUARANTEES, AND RETIREMENT OF CAPITAL CREDITS BY ELECTRIC BORROWERS**
**Priority:** Substantive, Nonsignificant

**CFR Citation:** 7 CFR 1717 O

**Timetable:** Next Action Undetermined

**Regulatory Flexibility Analysis**
**Required:** No

**Government Levels Affected:** None

**Federalism:** Undetermined

**Agency Contact:** F. Lamont Heppe

Phone: 202 720-9550

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**RIN:** 0572-AB01

**323. RUS APPROVAL OF SALE OF CAPITAL ASSETS BY ELECTRIC BORROWERS**
**Priority:** Other Significant

**CFR Citation:** 7 CFR 1717 P

**Timetable:**

Action	Date	FR Cite
NPRM	To Be	Determined

**Regulatory Flexibility Analysis**
**Required:** No

**Government Levels Affected:** None

**Federalism:** Undetermined

**Agency Contact:** F. Lamont Heppe

Phone: 202 720-9550

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**RIN:** 0572-AB02

**324. SOLID WASTE MANAGEMENT GRANTS**
**Priority:** Substantive, Nonsignificant

**CFR Citation:** 7 CFR 1775 subpart B

**Timetable:**

Action	Date	FR Cite
NPRM	To Be	Determined

**Regulatory Flexibility Analysis**
**Required:** Yes

**Government Levels Affected:** Local

**Federalism:** Undetermined

**Agency Contact:** F. Lamont Heppe

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**RIN:** 0572-AB14

**325. TECHNICAL ASSISTANCE AND TRAINING GRANTS**
**Priority:** Substantive, Nonsignificant

**CFR Citation:** 7 CFR 1775 subpart A

**Timetable:**

Action	Date	FR Cite
NPRM	To Be	Determined

**Regulatory Flexibility Analysis**
**Required:** Yes

**Government Levels Affected:** Local

**Federalism:** Undetermined

**Agency Contact:** F. Lamont Heppe

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**RIN:** 0572-AB15

**326. RUS APPROVAL OF ADDITIONS AND EXTENSIONS TO ELECTRIC PLANTS**
**Priority:** Other Significant

**CFR Citation:** 7 CFR 1717.603

**Timetable:**

Action	Date	FR Cite
NPRM	To Be	Determined

**Regulatory Flexibility Analysis**
**Required:** No

**Government Levels Affected:** None

**Federalism:** Undetermined

**Agency Contact:** F. Lamont Heppe

Phone: 202 720-9550

Fax: 202 720-4120

**RIN:** 0572-AB38

**327. REVISION OF RUS TELECOMMUNICATIONS PROGRAM AND RTB LOAN DOCUMENTS**
**Priority:** Substantive, Nonsignificant

**CFR Citation:** 7 CFR 1610; 7 CFR 1744

**Timetable:**

Action	Date	FR Cite
ANPRM	08/18/98	63 FR 44175
ANPRM Comment Period End	09/17/98	
NPRM	To Be	Determined

**Regulatory Flexibility Analysis**
**Required:** No

**Government Levels Affected:** None

**Federalism:** Undetermined

**Agency Contact:** F. Lamont Heppe

Phone: 202 720-9550

Fax: 202 720-4120

**RIN:** 0572-AB48

**DEPARTMENT OF AGRICULTURE (USDA)**  
**Rural Utilities Service (RUS)**
**Completed Actions**
**328. POST-LOAN POLICIES AND PROCEDURES COMMON TO INSURED AND GUARANTEED ELECTRIC LOANS**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 7 CFR 1717, subparts A-F; 7 CFR 1717, subparts J-K

**Completed:**

Reason	Date	FR Cite
Withdrawn	02/28/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** F. Lamont Heppe

Phone: 202 720-9550

Fax: 202 720-4120

**RIN:** 0572-AA71

**329. DEPRECIATION RATES AND PROCEDURES**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 7 CFR 1767 C

**Completed:**

Reason	Date	FR Cite
Withdrawn	02/28/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** F. Lamont Heppe

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**RIN:** 0572-AA80

**330. PRESERVATION OF RECORDS ACCOUNTING REQUIREMENTS FOR RUS ELECTRIC BORROWERS**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 7 CFR 1767 D

**Completed:**

Reason	Date	FR Cite
Withdrawn	02/28/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** F. Lamont Heppe

Phone: 202 720-9550

Fax: 202 720-4120

**RIN:** 0572-AA92

**331. LOAD FORECASTS**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 7 CFR 1710 E

**Completed:**

Reason	Date	FR Cite
Final Action	03/20/00	65 FR 14785

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** F. Lamont Heppe

Phone: 202 720-9550

Fax: 202 720-4120

**RIN:** 0572-AB05

**332. COMMUNITY FACILITY LOANS—TIMBER-DEPENDENT COMMUNITIES**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 7 CFR 1942 subpart A

**Completed:**

Reason	Date	FR Cite
Withdrawn	02/28/00	

**Regulatory Flexibility Analysis**

**Required:** Yes

**Government Levels Affected:** Local

**Agency Contact:** F. Lamont Heppe

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Fax: 202 720-4120

**RIN:** 0572-AB11

**333. • GENERAL POLICIES, TYPES OF LOANS, LOAN REQUIREMENTS—TELECOMMUNICATIONS PROGRAM**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 7 USC 901 et seq; 7 USC 1921 et seq; 7 USC 6941 et seq

**CFR Citation:** 7 CFR 1735

**Legal Deadline:** None

**Abstract:** RUS is amending its regulations to clarify that loan applicants organized as limited liability companies may be eligible to receive financial assistance.

**Timetable:**

Action	Date	FR Cite
Direct Final Rule	09/17/99	64 FR 50428

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** F. Lamont Heppe Jr., Director, Program Development & Reg Analysis, Department of Agriculture, Rural Utilities Service, Room 4034, South Building, 1400 Independence Avenue SW, Washington, DC 20250-1522

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**RIN:** 0572-AB49

**BILLING CODE 3410-15-F**

**DEPARTMENT OF AGRICULTURE (USDA)**  
**Natural Resources Conservation Service (NRCS)**
**Proposed Rule Stage**
**334. CONSERVATION OF PRIVATE GRAZING LAND**

**Priority:** Other Significant

**Legal Authority:** 16 USC 2005b

**CFR Citation:** 7 CFR 610

**Legal Deadline:** None

**Abstract:** Private grazing land constitutes nearly one-half of the non-Federal land of the United States and is basic to environmental, social, and economic stability of rural areas. In

fact, grazing land constitutes the single largest watershed cover type in the United States and contributes significantly to the quality and quantity of water for all of the many uses in the watershed. Congress recognized the importance of grazing lands in subtitle H, section 386, of the Federal Agriculture Improvement and Reform Act of 1996 by authorizing the Secretary to provide a coordinated technical, educational, and related

assistance program to conserve and enhance private grazing lands.

**Timetable:**

Action	Date	FR Cite
NPRM	07/00/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**USDA—NRCS**

**Proposed Rule Stage**

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**RIN:** 0578-AA29

**335. • EMERGENCY WATERSHED PROTECTION PROGRAM**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** PL 81-516; 33 USC 701; PL 95-334; 16 USC 2203

**CFR Citation:** 7 CFR 624

**Legal Deadline:** None

**Abstract:** A revision is necessary to incorporate changes in the program, which have resulted from the passage of the 1996 Farm Bill; a desire to make the program more responsive and efficient; and to respond to concerns of the public and the Agency. The rule is being reorganized and several items added.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/00	

Action	Date	FR Cite
NPRM Comment Period End	08/00/00	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

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**RIN:** 0578-AA30

**DEPARTMENT OF AGRICULTURE (USDA)**

**Final Rule Stage**

**Natural Resources Conservation Service (NRCS)**

**336. HIGHLY ERODIBLE LAND AND WETLAND CONSERVATION**

**Priority:** Other Significant

**Legal Authority:** 16 USC 3801 et seq

**CFR Citation:** 7 CFR 12

**Legal Deadline:** NPRM, Statutory, July 3, 1996.

**Abstract:** Soil erosion and its results, including damage to water quality and air quality, loss of productive capacity of the land, and offsite damages, is caused in part by inadequate or inappropriate systems. Loss of wetlands due to conversion for agricultural production destroys wildlife habitat, reduces the lands ability to slow runoff, and affects water quality and quantity. The 1985 Food Security Act required producers who farm highly erodible land to do so by using a conservation system that controls erosion at an acceptable amount and requires producers to not convert and produce crops on the areas, in order to remain eligible for most USDA program benefits. This Act gave producers a major incentive to conserve wetlands and to install conservation practices on the country's most fragile lands. The 1996 Farm Bill refines these requirements.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	09/06/96	61 FR 47019
Final Action	12/00/00	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

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**RIN:** 0578-AA17

**337. FORESTRY INCENTIVES PROGRAM**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 2103

**CFR Citation:** 7 CFR 635

**Legal Deadline:** None

**Abstract:** The Forestry Incentives Program (FIP) supports good forest management practices on privately owned, non-industrial forest lands nationwide. FIP is designed to benefit the environment while meeting future demands for wood products. The Cooperative Forestry Assistance Act of 1978, as amended by Public Law 95-313 is the source of authority for FIP. FIP was reauthorized for fiscal year 2002 by Public Law 104-127. The interim rule sets forth FIP policies and procedures.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	09/06/96	61 FR 47019
Final Action	12/00/00	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

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**RIN:** 0578-AA26

**338. WETLAND CATEGORICAL MINIMAL EFFECTS EXEMPTIONS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 16 USC 3801 et seq

**CFR Citation:** 7 CFR 12

**Legal Deadline:** None

**Abstract:** The 1985 Farm Bill, as amended, gives producers a major incentive to conserve wetlands by tying eligibility for most USDA program benefits to conservation of wetlands. However, producers can convert wetlands based on available exemptions, including a minimal effect exemption. A minimal effect applies if the action, individually and cumulatively, will have minimal effect on the functional hydrological and biological value of the wetlands in the area. A categorical minimal effect is one that, when carried out, will always have a minimal effect on the hydrologic and biological functions of wetlands in the area. These activities will be identified on a regional basis.

## USDA—NRCS

## Final Rule Stage

## Timetable:

Action	Date	FR Cite
Interim Final Rule	04/00/00	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None

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RIN: 0578-AA27

**339. • FORESTRY INCENTIVE PROGRAM****Priority:** Substantive, Nonsignificant**Legal Authority:** 16 USC 2101**CFR Citation:** 7 CFR 701**Legal Deadline:** None

**Abstract:** The Forestry Incentives Program (FIP) supports good forest management practices on privately owned, non-industrial forest lands nationwide. FIP is designed to benefit the environment while meeting future demands for wood products. The Cooperative Forestry Assistance Act of 1978, as amended by Public law 95-313, is the source of authority for FIP. The interim rule sets forth FIP policies and procedures.

## Timetable:

Action	Date	FR Cite
Interim Final Rule	04/00/00	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

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RIN: 0578-AA28

BILLING CODE 3410-16-F

## DEPARTMENT OF AGRICULTURE (USDA)

## Proposed Rule Stage

## Office of Procurement and Property Management (OPPM)

**340. • AGRICULTURE ACQUISITION REGULATION: AMENDMENT TO PART 442, CONTRACT ADMINISTRATION****Priority:** Info./Admin./Other**Legal Authority:** 5 USC 301; 40 USC 486(c)**CFR Citation:** 48 CFR 442**Legal Deadline:** None

**Abstract:** USDA proposes to amend Part 422 of the Agriculture Acquisition Regulation (AGAR) to require USDA agencies to use a single automated performance evaluation system for recording and accessing contractor past

performance information. This system will be the National Institutes of Health Contractor Performance System.

## Timetable:

Action	Date	FR Cite
NPRM	05/00/00	
NPRM Comment Period End	07/00/00	
Final Action	10/00/00	
Final Action Effective	12/00/00	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None

**Procurement:** This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

**Agency Contact:** Joseph J. Daragan, Procurement Analyst, Department of Agriculture, Office of Procurement and Property Management, Room 1566, South Building, 14th and Independence Avenue SW, Washington, DC 20250  
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RIN: 0599-AA08

## DEPARTMENT OF AGRICULTURE (USDA)

## Final Rule Stage

## Office of Procurement and Property Management (OPPM)

**341. DEPARTMENT OF AGRICULTURE PRIORITIES AND ADMINISTRATIVE GUIDELINE FOR DONATION OF EXCESS RESEARCH EQUIPMENT****Priority:** Info./Admin./Other**Legal Authority:** PL 102-45; EO 12999**CFR Citation:** 7 CFR 2812**Legal Deadline:** None

**Abstract:** The Office of Procurement and Property Management of the Department of Agriculture proposed to amend its procedures for the donation of excess research equipment for technical and scientific education research activities to educational

institutions and nonprofit organizations under section 11(1) of the Stevenson-Wydler Technology Act (15 U.S.C. 3710 (I)). This amendment would expand the list of entities eligible to receive such equipment, establish a priority list for eligible entities seeking transfer of such equipment, and clarify administrative rules regarding equipment transfer.

## Timetable:

Action	Date	FR Cite
NPRM	07/29/99	64 FR 41049
NPRM Comment Period End	08/30/99	
Final Action	08/00/00	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** State, Local, Tribal

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RIN: 0599-AA06

**DEPARTMENT OF AGRICULTURE (USDA)****Long-Term Actions****Office of Procurement and Property Management (OPPM)****342. NEW RESTRICTIONS ON LOBBYING****Priority:** Substantive, Nonsignificant**CFR Citation:** 7 CFR 3018**Timetable:**

Action	Date	FR Cite
Interim Final Rule	02/26/90	55 FR 6736
Final Action	To Be	Determined

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** State, Local**Agency Contact:** Joseph J. Daragan

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**RIN:** 0599-AA03**343. AGRICULTURE ACQUISITION REGULATION (AGAR); CONTRACTOR EMPLOYMENT OF MIGRANT AND SEASONAL AGRICULTURAL WORKERS****Priority:** Substantive, Nonsignificant**CFR Citation:** 48 CFR 422; 48 CFR 452**Timetable:**

Action	Date	FR Cite
NPRM	To Be	Determined

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None**Agency Contact:** Joseph J. Daragan

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**RIN:** 0599-AA05**DEPARTMENT OF AGRICULTURE (USDA)****Completed Actions****Office of Procurement and Property Management (OPPM)****344. AGRICULTURAL ACQUISITION REGULATIONS: REWRITE; CONTRACTING BY NEGOTIATION****Priority:** Info./Admin./Other**CFR Citation:** 48 CFR 401.106; 48 CFR 415 (Revision); 48 CFR 437.204 (New); 48 CFR 452.215**Completed:**

Reason	Date	FR Cite
Final Action	09/30/99	64 FR 52673
Final Action Effective	11/29/99	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None**Agency Contact:** Joseph J. Daragan

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**RIN:** 0599-AA07

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